

# Request For Mandamus

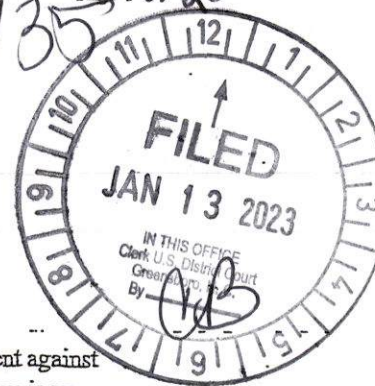
**Original**

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Petition for Relief From a Conviction or Sentence

By a Person in State Custody -

Who IS Innocent + Owed A Duty  
(Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus)



## Instructions

1. ✓ To use this form, you must be a person who is currently serving a sentence under a judgment against you in a state court. You are asking for relief from the conviction or the sentence. This form is your petition for relief.
2. X You may also use this form to challenge a state judgment that imposed a sentence to be served in the future, but you must fill in the name of the state where the judgment was entered. If you want to challenge a federal judgment that imposed a sentence to be served in the future, you should file a motion under 28 U.S.C. § 2255 in the federal court that entered the judgment.
3. ✓ Make sure the form is typed or neatly written.
4. ✓ You must tell the truth and sign the form. If you make a false statement of a material fact, you may be prosecuted for perjury.
5. Answer all the questions. You do not need to cite law. [You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit a brief or arguments, you must submit them in a separate memorandum.]
6. ✓ You must pay a fee of \$5. If the fee is paid, your petition will be filed. If you cannot pay the fee, you may ask to proceed in forma pauperis (as a poor person). To do that, you must fill out the last page of this form. Also, you must submit a certificate signed by an officer at the institution where you are confined showing the amount of money that the institution is holding for you. If your account exceeds \$ ?, you must pay the filing fee.
7. ✓ In this petition, you may challenge the judgment entered by only one court. If you want to challenge a judgment entered by a different court (either in the same state or in different states), you must file a separate petition.
8. ✓ When you have completed the form, send the original and two copies to the Clerk of the United States District Court at this address:

Clerk, United States District Court for M.D., N.C.  
Address 324 West Market Street  
City, State Zip Code

Greensboro, N.C. Room 4d, 27401

9. ✓ **CAUTION:** You must include in this petition all the grounds for relief from the conviction or sentence that you challenge. And you must state the facts that support each ground. If you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

10. X **CAPITAL CASES:** If you are under a sentence of death, you are entitled to the assistance of counsel and should request the appointment of counsel.

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*"Great Writ"*  
PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF  
HABEAS CORPUS BY THE INNOCENT STATE CUSTODY HOSTAGE

United States District Court		District <u>Middle District</u>
Name (under which you were convicted): <u>Alphonza L P Thomas, Negro, Black, colored, CUBA</u>		Docket or Case No.: <u>10 CAS 050755</u>
Place of Confinement <u>Columbus Correctional</u>	Prisoner No.: <u>1287495</u>	
Petitioner (include the name under which you were convicted) Respondent (authorized person having custody of petitioner) <u>U.S.A. Exrel. Moorish American National citizen - Alphonza L.P. Thomas - Bey</u> <u>Jennifer Walsh-Warden, Roy Cooper Governor, Todd Ishee- Director of Prisons, Josh Stine Atty Gen. NC, Merrick Garland- Atty Gen U.S., Todd Ishee- Commissioner division of Adult Corr., Brad Deen- NC DPS Agent, David W. Addison, ESA, Todd Ishee- Secretary of Division of Adult Corr.</u>		
The Attorney General of the State of <u>North Carolina: Josh Stine</u>		

*MY PETITION REQUESTING*

*A Mandamus to Direct  
The Superior Court to Release me*

1. (a) Name and location of court that entered the judgment of conviction you are challenging:  
General Court of Justice Superior Court  
Division  
(b) Criminal docket or case number (if you know): 10RS050755
2. (a) Date of the judgment of conviction (if you know): 10-7-2011 AD  
(b) Date of sentencing: 10-7-2011 AD
3. Length of sentence: Life
4. In this case, were you convicted on more than one count or of more than one crime? Yes ☒ No ☐
5. Identify all crimes of which you were convicted and sentenced in this case: Murder  
Arson
6. (a) What was your plea? (Check one) N/A - I did not take a plea.  
(1) Not guilty ☐ (3) Nolo contendere (no contest) ☐  
(2) Guilty ☐ (4) Insanity plea ☐  
(b) If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, what did you plead guilty to and what did you plead not guilty to?



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(c) If you went to trial, what kind of trial did you have? (Check one)

Jury ☒ Judge only ☐

7. Did you testify at a pretrial hearing, trial, or a posttrial hearing?

Yes ☐ No ☒

8. Did you appeal from the judgment of conviction?

Yes ☒ No ☐

9. If you did appeal, answer the following:

(a) Name of court: North Carolina Court of Appeals

(b) Docket or case number (if you know): Un Known

(c) Result: Denied

(d) Date of result (if you know): 2011

(e) Citation to the case (if you know): Un Known

(f) Grounds raised: Error in Jury instructions.

(g) Did you seek further review by a higher state court? Yes ☐ No ☒

If yes, answer the following:

(1) Name of court: \_\_\_\_\_

(2) Docket or case number (if you know): \_\_\_\_\_

(3) Result: \_\_\_\_\_

(4) Date of result (if you know): \_\_\_\_\_

(5) Citation to the case (if you know): \_\_\_\_\_

(6) Grounds raised: \_\_\_\_\_

(h) Did you file a petition for certiorari in the United States Supreme Court? Yes ☐ No ☒ Not about that.

If yes, answer the following:

(1) Docket or case number (if you know): \_\_\_\_\_

- (2) Result: \_\_\_\_\_
- (3) Date of result (if you know): \_\_\_\_\_
- (4) Citation to the case (if you know): \_\_\_\_\_
10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions concerning this judgment of conviction in any state court?

Yes ☒ No ☐

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court: District Md. D.C.

(2) Docket or case number (if you know): Unknown

(3) Date of filing (if you know): Unknown

(4) Nature of the proceeding: Truth

(5) Grounds raised: lack of Subject matter Jurisdiction

(6) Did you receive a hearing where evidence was given on your petition, application, or motion? Yes ☒ No ☐

(7) Result: Denied

(8) Date of result (if you know): Unknown

- (b) If you filed any second petition, application, or motion, give the same information:

(1) Name of court: District Md. D.C.

(2) Docket or case number (if you know): Unknown

(3) Date of filing (if you know): Unknown

(4) Nature of the proceeding: Truth

(5) Grounds raised: lack of Subject matter Jurisdiction



Ground. Invoking The U.S. waiver of Sovereign immunity, i.e. EXPATRIATION ACT OF 1868 to be released into my Moorish American Nation like the Presidential Pardon of Abdul Rahman Ibrahim - 1848. I do not sue the US for my arrest, prosecution or imprisonment. I sue the U.S. for my due Pardon, return to my Nation, Also Injunction. I am Innocent. I was not Mirandized. Sentenced to life in prison via an arrest by a oathless or affirmationless warrant. For arrest which is against State law made in STATE V. ALMETA WHITE May 2nd 1956 where all Federal Courts must use this law of the State. Per Erie V. Tompkins and 17th & 18th Courts do not, then that State law is enforceable under Sup. Ct. of the U.S. via Rule 10(c). Also I was deprived of these rights due to the color, race and National Origin that the State and Federal Courts Class me under. That being said, there is a motion to Dismiss attached in TRUE COPY Form From the Alamance County Record and The Judge has now voluntarily dismissed all charges in case with the NO. 10CR5050755. That being the Ground Defendants are in violation of the 4th, 5th, 6th, 8th, 9th, 13th, and 14th Amendments to the U.S. Const. Those violations are expressed clearly in items a-g on that said Motion to Dismiss. Also the case deals with the Jurisdiction set out in Article III Sec. 2 of The U.S. Const. I am a Moorish American National citizen and I have uncovered a conspiracy against me by State and Federal Courts to keep me enslaved and that ties all law in this Ground as one related issue. Where Defendants are in violation of the Law of the 17 U.S.C. Sec. 241-242 as shown above, 18 U.S.C. Sec. 1203 for holding me Hostage in U.S. Citizenship, Article XX of the Treaty of Peace 1786 for not treating me equal to Freeman as outlined above, The Expatriation Act of 1868 for not letting me free to be in the Nation of Moorish America, Also The Universal Dec. of Human Rights Art. 1-15 for not respecting my Reservation of Rights and enslaving me at birth then treating me as a slave at my arrest up until today unlawfully. All that cited law is a CONTRACT THAT HAS BEEN BREACHED.

(a) Supporting Facts: I refer you to the Record i.e. The same court reviewing this \$2254 claim is also reviewing my \$1993 claim so see documents in case No 1:22-cv-271 i.e. "Certificate of Live Birth" it shows the start of my Hostage taking to serve V.C. as a slave for life, next Social Security Card it shows an account-Trust number on its back side to a Federal Reserve Bank and a Social Security No. for a program to give money to U.S. citizens both of which are illegally created to enslave me by theft of my money and energy. Then the warrant for arrest, it shows the actors of my Unlawful arrest, and my Prison ID Card, it shows who holds me for the State and Federal Courts and shows who I challenged along with my motion to Dismiss to set me free. Also all these documents show the Black slave label and who placed it upon me, my mother, my father, my Nationalization, which is a official policy and official custom of Defendants as shown in evidence cited Moral Turpitude. (b) I did exhaust my state remedies on Ground one 11-28-2022 AD, CF, U.S. DOJ Notice Attached.

(c) I did not raise this Ground on direct appeal

(a) I did not raise this issue because I went to trial and waited on the witness against me but none was presented. You see then I thought the warrant was real but it was fake and this trick was not discovered until after my direct appeal. Also I thought Black was a nationality and citizenship status because that's how it was presented to me by defendants but that was also a trick to keep me enslaved by V.C. Courts.

(d) I raised this issue on a Post Conviction "motion to Dismiss" in The Superior Court of Alamance County - 2 court square Graham NC 27253 - see "motion" Attached - Case No. 10CR5050755 Their decision remains to this date as inaction and a Voluntary Dismissal - a TRUE COPY is attached, I did not receive a hearing and I appeal at this time to this court Renewing my objection and motion to Dismiss Requesting to be released without delay. - The other remedies I did follow are Steps 1-3 with The State Grievance Resolution Board to no avail - attached.

Also Important to Note: Although STATE V. WHITE May 2nd 1956 deals with the Search Warrant, The requirement of the oath or affirmation set out in the Federal Law Source - 4th Am. remains the same even for arrest, of me. more over on 2-2-2010 I was at my mom's house and the Alamance County Sheriff said "I think you should come with us" I said "I don't want to", he pulled his coat back showed his gun and said "You best come boy", out of fear of being shot I went signed papers and answered questions out of fear of being shot. **SUBSIDITARY CHALLENGE**. In my case as in others the officer seeking the warrant often was given information, which leads to discovery of a crime. "Even if we entertain some doubt as to an informant's motives his explicit and detailed description of alleged wrong doing, along with a statement that the event was observed first hand, entitles his tip to greater weight than might otherwise be the case." See STATE OF North Carolina V. Scott A FOSTER 219-2d 940 COA. Now the same constitutional law test that you Reader use in your court over and over says we can only consider information known to the officer at the time of issue of the Warrant. Q: So what did officers know on 2-2-2010? For this answer I point you to - 4 - places #1. In my trial transcript titled 911 call on page 82. A person calls in on 2-1-2010 and says a crime has been committed but fails or refuses to identify them selfs, and that is what lead fire fighters and sheriffs to the crime scene and to my mom's house to force me into questioning and paper signing. An anonymous tip, where the call did not even identify me or the correct crime scene. #2. The witness was a non-witness i.e. The Record shows in Judge ELMORE'S OPINION - STATE OF North Carolina V. Alphonza Leonard Dumas March 5, 2013 COA - 1st Before we go to that opinion Note: I was convicted on Circumstantial evidence that was all refuted in trial; I had a Hung Jury; my trial Judge gave Dynamite instruction. Back to opinion:



"Carroll had no involvement [Carroll claims no First hand Knowledge] #3 There in the same case cited in #2 Supra. The Record is directlY Quoted where Testimony is Given "Felts" Says Carroll was not Known or interviewed until 2-3-2010 - The day after MY Arrest. So All other information discovered is not relevant for Jurisdictional Purpose. Felts testimony is also reflected in the transcript and even if these Points 1-3 were not in transcript they are all in MY COA case of 2013 march 5 cited above. Boswell v. B. 91 How. 336, 348; 101 U.S. 113.

In sum the officer Seeking and Given MY Arrest Warrant on 2-2-2010 AD Knew his information came From a Unidentified Source - a nonYmously who was not a First hand Knowledge Person. There was No Explicit and detailed description of alleged wrong doing; There was no Statement that the events was observed first hand; And we can not entitle this TIP to greater weight toward Probable Cause for a warrant to issue. It does not matter if the officer who sought and was Given MY arrest warrant made a written Affidavit or a oral oath or affirmation because he does not Pass the constitutional test we use in the 4th cir. Court, OK - lets see #4 of what the warrant seeking officer could have seen because it was available at that time 2-2-2010 AD to establish Veracity and basis of Knowledge to Find Probable Cause ie if the warrant seeking officer had took the time to find out who Carroll was he would have seen that Carroll was a criminal on Record and was Newly out of Jail for a Receptive crime. And so I affirm "a The Warrant is void. b ... You see I went to trail and thoes 6th Am. to the U.S. Const. Protections are Used not when the warrant is used to issue MY arrest to MS. Brown the "Judicial Official" issuing, but used at trail. The Bill of Indictment is void. c Any Sentence is void. I have been denied due Process of Law. I have been denied equal Protections of the law. FD I have no way to know the nature and cause of the accusation. I have been denied the right to be confronted with the witness against me. Roe v. New York (1970, 50 NY). Mis Brown was that witness follow me... Sheriffs rushed that arrest and did not investigated because they found me and I was seen as Black and thats why they did the arrest that way, and thats why MS. Brown did it that way. They did not do Terry Johnson's daughter that way when they arrested her and you dont see them doing "White" Kids like that. Now I went to trail and saw Carroll, but what I could not understand was where was the nature and cause of the accusation and how could I confront a witness or source who was not a source at all, it was non-sense. Commonsense with any 911 call says, know who you are talking to? what they saw prior to any arrest, and that is what kind of stuff should have been in the warrant. Thats not hypertechnical - know what eyewitness knows to Strengthen Warrant Statements, and if they are not a eyewitness then what they claim as if they were a eyewitness, is inherently false and if you are Morris and dont take the less than 24 hrs to know that, then you really dont care about the truth of any crime on 2-1-2010 in Alamance Co. to establish Probable Cause for an arrest. Morris's statements on the arrest could not have been based in fact. So where did he get my name? Ans: He guessed. Carroll was "interviewed 2-3-2010 AD. who was Carroll at that 2-2-2010 time?" "Where... Warrant was based on Affidavit of Person claiming spurious identity... Evidence upon which defendant was convicted... Affidavit Warrant were invalid under 4th Am. to U.S. Const." King v. U.S. 4th Cir 9-7-1960, who spoke with Personal Knowledge to make a warrant statement of the eyewitness account from the crime scene? Ans: Alone. Did Morris appropriately accept his information used in the warrant? The 4th Am. warrant clause contains an implicit Guarantee that info. in arrest warrant is truthful in the sense that the info. put forth is believed or appropriately accepted by affiant as true. OK; lets play the mind of Morris - Morris thinks: The crime is on 2-1-2010 AD, I dont know my informant, where informant is when he called 911, I have a suspect and he is already in custody, I have not investigated or given anyone else time to do so, so I dont have many if any hows or whys about my caller, I dont know the suspect because we just took him in, well we already have a suspect lets just arrest him sense he is already in a holding cell 2-2-2010. Morris didnt appropriately accept his info. as true because there was no basis for truth. Now had Morris waited less than 24 hrs and found out Carroll was not Present, Carroll's Record, Carroll's Story, Carroll's location, Carroll's you fill in the blank - The outcomes are endless. Then Morris's decision to arrest could have been different. But what was done was - lets arrest now and put the cause together later, Thats what "Morris Thinks" Now the District Attorney of Alamance Co. had just been elected in 2009 AD and was under a new 1st time D.A. office the 1st murder of the year and country in 2009 in Ala. Co. and was under GREAT PUBLIC pressure to handle the case and prove to the public his worth and that's why Morris rushed. Because the D.A. Pat Vadolski pushed him and told him "make the arrest NOW" and thats the other reason things were rushed besides them finding a "Black" to arrest. Now lets say Vadolski: Morris did everything right they still dont have a oath or Affirmation to Prove Jurisdiction and Fault and liability falls squarely on MS. Brown who issued the Warrant for arrest. But I would say the arrest was not objectively reasonable because it created unnecessary danger of an unlawful arrest. Reader wouldnt you want to check into the caller's identity, his story, his standing, his involvement prior to any arrest? And if you serve the arrest warrant you assume Morris is right and you are just doing your job because you trust that Morris checked everything out with the said crime. Where was reasonable grounds to arrest based on 2-2-2010 AD? Lets think about that... Brown Found Ground Alone...

You will Find No information was furnished under oath by Morris at all in any way oral or written Peroid. Today I am writing? Sending another letter to the Ala. Co. DA to Give me Proof of Probable Cause For MY Arrest, I will do so again week after week, and Carroll and his Gang are dead I am now at H I B E R T Y.... Carroll made it So Hard!!

(Where 911 call was made failing to identify Person killed, The killer, The 911 caller informant, The Crime Scene etc...) and 911 call informant is shown to not be an eye witness, who also has a negative Criminal Record, and admits to the crime the warrant was sought for, and no other Person supports 911 caller informant's information at time of arrest of a person who is not the 911 caller informant, arrest was made without Probable Cause, when arresting Police had no reason to think Suspect would escape, because he was in the custody of Police and arrest was not objectively reasonable, because of the many failings to identify outside of the victim an scene, because Police had time to correct failings that could have been used in a Affidavit with oath or affirmation to support Probable Cause, and prevent a actionable reason to claim unlawful arrest. A Jurist of Reason could say something like that, Now with all that arresting Bunch knew Carroll could have been found, and identified, some other Person as the Killer lets look at a classic case of this, i.e. WEST V. CABELL et al. April 16, 1994 U.S. Sup. Ct. I am going to put myself in the place of old Vandy M. West... Now we know what Carroll said days weeks and months later but Moriss or any other Person did not know that we have to look at 2-2-2010 when Moriss stood upon mere suspicion, The Ground was not prepared the soil was not tilled for the cause to grow. And unlike the case of old Vandy M. West the officers in my case had within their reach all the things needed to find Carroll or anyone else so it can't be said they acted with caution or reason in this arrest old Vandy M. West was held until one who could identify him showed up a long time later, all Moriss had to do prior to making a choice, and all the P.A. had to do prior to making a choice was wait a few hours, but they did not care for reason caution etc... So in service of the warrant the Server had reason to think he had Probable Cause, but Moriss did not have such reason to go and seek the warrant, what Moriss had was Pat's and the Public's Pressure.

Now for all purposes I was arrested at my mom's house, when the gun was pointed at me and I was swayed into custody. See Payton V. New York, 445 U.S. 573, 100 S.Ct. 1371, 63 L. Ed. 2d 839 (1980). I had bought my first house in 2007 and prior to that the only house that I called mine was mom's, I lived there my entire childhood, it was my house, they arrested me there, searched my pockets, and put me in the car. I was not at liberty to ignore Police presence they had 2 cars 3 men and many guns, and I went but did not consent, I answered questions, I was read a Miranda warning in the car on the way to Alamance Co. See my mom lives in Durham Co. about an hours drive away, But the Police, started the questions inside my mom's house and said I better come with them showed the gun and then put me in their car. I was arrested then at my mom's house and should have been taken to a magistrate then. All I could do was go with them or get shot, so I was under arrest. See Robert KALIPP V. TEXAS May-5-2003 Sup. Ct. U.S. First in mom's house, Police asked "What did you do last night?" 2nd Pocket Search. Carroll was a Phantom at the time 2-2-2010 and reason to believe I committed any crime only came from Carroll. I never met the witness to any crime face to face, to confront them about anything charged to me.

● But The Folds to this Ground are many. And there is a need to correct clear error? Manifest Injustice? Lets look at Moriss and the P.A. and say they had no knowledge of the incorrectness of the 911 call or Carroll's claim that led them to me. And lets review the meaning of False Statement in "Black's Law Dictionary with pronunciations Abridged Fifth Edition" on Page 310. I think in light of the above Jurisdiction Challenge herein on Page 6 we can say that Moriss & the P.A. knew that Carroll's call/statement was incorrect due to "acquiesced" part of that definition, due to the "with reckless indifference to actual facts" part of that definition, due to the "recklessly" part of that definition, due to the "purpose to mislead or deceive" part of that definition in light of the fact we are only reviewing the Snap Shot of time up till 2-2-2010. Carroll acquiesced and Moriss and the P.A. knew because at that point 2-2-2010 whoever was the source of their warrant info. had not said anything since their TIP, Carroll was indifferent to truth or actual fact due to his non-presence, Carroll was reckless in that he made this big accusation and gave no pointed info. like waving a gun around in a crowd. Carroll's intent to mislead and deceive was easy to see on 2-2-2010 due to his acquiescence and lack of info. etc. So Moriss and the P.A. could see the False hood in Carroll's way. Knowing Carroll's statement was false they arrested me. Moriss and the P.A. took on all the traits Carroll had on 2-2-2010 and accepted them. Now with Moriss and the P.A. having very little information on 2-2-2010 lets look at another fold. I was a property owner. So here is a P.P.T. owner example, /A/N/K calls 911 he says someone got killed just now come quick. Alice etc... Respond. No one is around when they arrive and they find a victim and a fire. The only thing they know is the identity of the Property owner due to Records of Deed. Being the case the Property owner is arrested because they are Property owners. And that is another reason why I was arrested considering what was known on 2-2-2010. Also I had money and jewelry in a fire safe box only I had the key to; Police took my key and reported the safe as empty thus I could not pay my mortgage and lost my property and Moriss and the P.A. and Mrs. Brown inherit this loss like Carroll's traits. These Police that took my key are the same Police who arrested me in my home, before it was said there was Probable Cause for an arrest and before there was a warrant, Also before any Miranda warnings. Now I am not claiming Police forced their way into my house I let them in and was coerced into everything I may have said to them after being showed the gun and being told to go with them and searched.



And all these factors make up this ground and are all related to the events leading up to arrest on 2-2-2010 AD. Also related and into our next fold lets think back to 1806. Like EX PARTE BURFORD February Term 1806, as a result of MY oathless affirmation less warrant I too was given Excessive Bail in the sense that NO Bail was set. So if I had a million Dollar Bail and it was found to be excessive that just means I am not able to make Bail, and if NO Bail is set I am not able to make Bail; Bail may as well be set to infinity-like NO Bail. Like EX PARTE BURFORD I too was not charged of Personal Knowledge Supported by "oath" so who could liability reach for Perjury if no one made the oath or affirmation. Now in EX PARTE BURFORD there was no cause expressed at all in the warrant and I am not saying that for me, but what I am saying is on 2-2-2010 AD Morris the D.A. et al. had NO reason to say that cause was a good cause that we can accept as truth. I heard Morris's information to Miss Brown.

And what must be kept in mind is even before MY arrest warrant issued I was seized by acquisition of control. Just like an arrest is a seizure a seizure is an arrest. See with All that Morris and the D.A. did not know, lets say I had a 25 year old son and I was out on business in another country and the same facts leading up to my arrest were known. When my live in 25 year old son would have been found at his Grandmother's house he too would have been arrested on the spot just like me, even if it was some other person who committed the crime like one of my son's friends for example. More central to why there is no oath or affirmation is Morris did not think what he was saying was true; In case Halli V Halli December 11th, 1978 U.S. Sup. Ct. it was noted that without an oath or affirmation the official was just verifying who a person was and was not making sure that the person before the official was telling the truth. And see Morris did not want to do a oath or affirmation because he knew that all his knowledge he brought to court on 2-2-2010 AD was not just second hand but 3rd, 4th, 5th, 6th who knows at that point hand, and with the uncertainty of who Carroll was where he was on 2-2-2010 AD no one would swear to the truth of anything from Carroll on 2-2-2010 AD. So Morris did it knowing the warrant information was not true, and we already found out why. And the defendants may say otherwise and claim me as a bad man but an unconstitutional arrest cannot be justified by who was arrested. And I was not treated equal to other men. The TRUTH was not confirmed prior to my arrest. There was no truth in it. And those Police that took me from my mom's house - my house had plenty of time to go and get an arrest warrant and no reason to think I was running because I called them myself and told them where I was? Said that I would wait for them; They did not find me I found them. And the only thing they discovered is that, "Oh you are Black", Yep? That's what they concluded and relayed to Morris who used that one and only discovery as my description on my arrest warrant as "B", a type of code for Black to be seized. In the case Conner V Common Wealth June-12-1810. You could take every reference to Pennsylvania and replace them with North Carolina and take the accused and replace them with me and draw the following conclusions:

To prevent the possibility of convicting a innocent it is in the interest of JUSTICE You start with the truth by getting an oath or affirmation to support any warrant for arrest. No oath was made. You will make someone feel as if they are in the Star Chamber when you bring them a warrant for arrest and they are already in a cell already under arrest, That's how I felt. Did Morris make a oral oath? He may say he did. Someone else may say he did. How can I know of a oath or affirmation in truth at any point in time if there is no Affidavit? How can one even be sure of what Morris said or what to say to this accuser about a Affidavit that never was? and even if the record reflects a oral oath, it is a lie, not in good faith. Morris gave knowing or reckless falsity, and Ms. Brown knew that and just acted as a rubber stamp for Morris, No one spoke to any eye witnesses and Morris's statement was so lacking in indicia of probable cause because of these facts outlined above. Where was the persuasiveness of the facts Ms. Brown relied on to issue a warrant when neither the officer Morris nor his source Carroll were a eye witness to anything on 2-1-2010 AD or 2-2-2010 AD. Officer Morris may as well been a guy in China who was born there and never left, and just called up Miss Brown on the phone



and said "hey I heard someone got killed down there, can we send someone out to arrest because from what I hear there is a chance that xxxxxx could be the killer. And well where I heard it was heard from someone else and we have not checked any of that out but we need to do something because we already have the suspect." Now does that make any sense? My seizure at my mom's house and from arrest warrant were "unreasonable." [Now could Morris look at me on 2-2-2010 and say "Yea he has been involved in criminal activity." So I am in prison and watching the news, and there is a house on fire and a dead body inside and I notice it happened in the - Blah Blah - area where Roy Cooper lives. So I call the police give them Coopers address or something close to it, and say I think Cooper killed someone. Cooper is found in a nice suit offering help to police and his mother. Do you think I could get someone jailed up in prison like that? Answer: with the right officer like Morris, Morris had seen Cooper as Black, because No oath would be taken etc... Morris would use:

- Common rumor or report
- Suspicion
- May be even strong reason to suspect

But that was not adequate to support a warrant for arrest. Morris had to go off of probabilities based from what someone knew first hand and that's prudent, that's what all the rest of the officers who get warrants do. The standard of proof is according to or correlative to what must be proved. And if you are not present to prove you just can't provide a prudent man with knowledge to know on 2-2-2010 in my case. Morris had to know that his information was trustworthy first before he could use it. Morris just did not know his info. was trustworthy. How could he know his info. was trustworthy. Point to something that can be easily used as trustworthy information to prove criminal activity for me on 2-2-2010 that you can look at and say well he must be guilty because... (It was his house, it was his wife, he is at his mom's house, he is Black, we got this 911 call that led us to the wrong house from a phantom who sounds like he's at the house yet was not there, his house is on fire, he is already locked up). See that's what Morris knew and a prudent man can't arrive at any fact that says there is REASONABLE GROUND FOR BELIEF OF GUILT, because of the simple fact Carroll could be the guilty party, and if you are Morris knowing the facts or not knowing very many, you have got to find Carroll or something or someone who knows a bit more before you can arrive at the substance of all the definitions of probable cause, because guilt at the point Morris made his choice could have went another way. Morris was allowed room for mistake, and I get that. But his mistakes must be those of a reasonable man, acting on facts leading to a sensible conclusion of probability. Now as it turns out Carroll plead guilty. I did not. So what one must conclude with is what Morris found out from Carroll or me when he intercepted either. And there is nothing to draw this conclusion with. I have not engaged in a crime. I never said I engaged in a crime. The best compromise for Morris would have been to say well I could place at least 2 people at the scene, so I will speak with them or send someone to and make my choice after that. There was only one single standard involved for Morris and he could have avoided the danger of violating that single standard, not by getting information or evidence strong enough to convict, but strong enough to say "that Thomas Guy did that." In performing his balancing test he should have taken his report from Carroll as a phantom and made the effort to say to Carroll "where were you then", "How did you know that", and made some type of balance, but he did not. We can't say what Carroll would have said because according to Detraives Carroll gave different stories at each of his four interviews and that's in my trial transcript at various points of cross examination of the people who interviewed Carroll. And Morris capture that type of stuff, why? Ans: It happened in the future past 2-2-2010. But it did happen. Carroll lied, lied, lied. It stands to reason there goes that word reason - Carroll could have lied to Morris or some other police person prior to my arrest on 2-2-2010 that would have caused me to not be arrested, and we can't say that story of Carroll's never existed.... It's been HARD

That story of Carroll's does exist. In trial, one Troy Arrington testified that Carroll told him the truth about how Carroll committed the crime in whole not in part and that I had nothing to do with the crime. So when I say I have no knowledge of a crime, I am saying all that plot to commit a crime stuff Carroll dreams up to tell is false in respect to me and I never engaged in a crime. So in light of the totality of circumstances Probable cause did not exist on 2-2-2020. There is no oral oath that does or does not exist, there is no Probable Cause to back it up. Before we turn to the next fold let's look at another example. I am a 3<sup>rd</sup> meaning Alphonse Thomas III and in on 2-2-2020 I took the image of my dad and vice versa and he visits my home often. Morris did not do a line up to identify me. We can't say it was not needed on 2-2-2020 because Morris had no further story from Carroll and found no one alive at the crime scene. And for all that Morris knew or did not know Carroll could have pointed out my father as the Miller. You see in balance, Probability, and Circumstances You need some Facts to weigh, and Morris did not have any. And when the time came to give the facts to Mr. Brown, he still had NO FACTS.

It does not seem that the magistrate judge had a lot of information. And the information Mr. Brown did have was not from Morris. What did the magistrate judge not know? I don't think Mr. Brown knew that the person giving the tip was also not a witness, I don't think she knew of the untruthfulness built into the tip. Morris had to convince the Judicial Official Mr. Brown there is Probable Cause so he picked and chose exactly what to tell Mr. Brown so he left out:

That officers had already arrested me without Probable Cause with the Gun Search. See opinion of The 1<sup>st</sup> Cir. 2021 10 Crystall ADT et al v Jeffrey DAWSON et al January 13, 2022 U.S. Appeals Ct. 8th Cir. "Arrest. They took me early in AM 9 or 9am on 2-2-2020 and the warrant came 12 hours later Bains v. Cambray, 204 F.3d 964  
 3 he left out,

After my false arrest at my mom's house and else Police may have gathered from me was defective by Police threat, duress, Coercion which compelled me to be a witness against my self. U.S. v. Huerfano, 197 F.3d 1059 11th Cir. 1999. Also see Boswell v. D.H.S. 914 F.2d 336, 349; 1st Cir. 1991.  
 3 he left out

I was already in custody and no one was in danger so there was time to check on any leads, evidence etc. from Carroll or others, i.e. he could have "delayed" or "WARDEN, MARYLAND PEN. V. Bennie Lee MARYLAND April 12, 1967 U.S. Sup. Ct. at Judge's notes that a delay in my case, could have protected my 4th Am. Rights 5th & 6th also.  
 3 he left out

He never found indica of reliability in informant's tip established through informant's interest in obtaining leniency by supplying accurate information because he had never met Carroll or any of his officers at 2-2-2020 and met Carroll.  
 3 he left out

[He never told the magistrate] that his informant was not a witness to any crime.  
 3 he left out

See a magistrate must review the "Veracity" and "basis of knowledge" of person providing hearsay information Gates, 462 U.S. at 237, 103 S. Ct. 2317. BUT THERE WAS NO BASIS CARROLL WAS NOT A WITNESS, No law enforcement etc... was a witness.

Hel- The Fourth Circuit has explained that in evaluating whether an informant's tip establishes probable cause, the degree to which the report is corroborated is an important consideration Wilhelm, 80 F.3d at 119. THERE WAS NO CORROBORATION TO RAISE TO ANY DEGREE. An informant's tip on its own is not sufficient for Mr. Brown. COMMON SENSE TELLS US THAT; The law says that also.



That I never had a criminal history related to the charges of any crime, and that his Tiper does - CF: halon 996 F. 2d at 1581. That would have been very helpful for, mis. Brown, and Material to Probable Cause determination.

and he left out

The fact he was in constant contact with the officers who forced me, from my mom's house. And when in the car from Durham to the Graham Police Station the officers asked me to tell them what happened, where those officers told Morris what I said. I told the officers in the car that Carroll, a high ranking Gang member sent in one of his other members into my home in Burlington to rob me. I fought him he injured my hand and killed my wife. When I was injured she stepped in to fight and call 911 the guy took her phone and hit her in the head one time with something and I could see others coming thru the back yard via the large windows. I recognized the man and he knew it. He said that if I told police of him and the gang he would kill my mother, and that I better get out of there. If I would have not complied I was going to die, so I left and saw Carroll outside in the car I had looked him trying to be a good fellow man. I stopped cleaned myself up and went to my mom's house and sat outside in the car dozed off for a moment and realized I had to get up because I am falling asleep and can't look out for mom like that [I went in & called the officers] My aunt had arrived with a card of one of the officers from Graham. Now after telling the officers that I had called, the above account of what happened they told me they would protect my mom if I told them the above account at the station. But all I could think about was if they search for the Gang guys and do not catch them then the Gang guys are going to come and kill my mom. So I told the officers that, and they said to me I should not tell my story then, because they did not think they could protect my mom from a whole Gang. So I took their advice. I LOVE MY MOTHER DEARLY and she was and is of the highest value and meaning to me in my life. I tell my story now because Carroll and most of his gang members of that time have died. I was not at liberty to say this until now - my liberty to tell was stopped when Morris and his officers told me to not tell due to their doubts in my mother's safety. And Morris knew all of that when he APPLIED FOR MY WARRANT FOR ARREST. He left that out.

and he left out

The fact that I had a large amount of money on me. He knew it because he saw it on camera when I stopped at stores on the way home, and saw Carroll - who at the time was just a guy from the old neighborhood who needed a hand out. I bought him a few things gave him a little money and the whole time that guy I recognized above, who I fought with was tailing us with others. Carroll needed more than my help, he needed all my money. Carroll's car needed a jump on the way to Walmart so I gave him one by a car store and saw the guy I recognized then but it did not occur to me at that time their motive. Also as per: He didn't bring my own car to Miss Brown, as well as it is. How 336, 348: to wit "caramon justice?"

and he left out

The officers questioned ten members of my family at my mom's house when I was there about problems I may have had with my wife and they all told him there were none. In fact they found no motive at all 2-2-2010 ap. They told Morris that.

Note: Many motive theories were disregarded. Then one girl who my wife and

I had a consensual affair was pointed out as someone I was in love with, when that was not the case at all, because my wife and I were in love and had many consensual affairs at that time. That one girl came to trial and did deny a story that only Carroll made up some time after 2-2-2010. An about me wanting to run off with her and leave my wife. That one and only motive was disproved by testimony of a Katharine Mares in trial. Morris knew not, even that poor motive theory on 2-2-2010. Morris did know that on 2-2-2010 he had no motive for me committing a crime and he knew there was a great need for further investigation prior to arrest. Morris ignored such at the cost of my injury caused by my arrest adjudicated by Mrs. Brown and he left out

That at the time of my arrest he had no reason to think my story to officers who forced me from my Mom's house was not true. You see, no one had done any further investigation at that early date of 2-2-2010 to disprove my story. I had no reason to kill my wife, and knowing that, Morris went and applied for my arrest warrant anyway due to the pressure he was under to arrest quickly for the D.A. To make a good FIRST IMPRESSION on his Voters. In other words, where initial impetus for my arrest was Carroll's tip no information was gathered by the Sheriff's Dept. to sustain finding of Probable Cause for my arrest that could not adequately be supported by the tip alone. There was no additional information acquired by Morris that was in some sense

Corroborative of Carroll's tip that I committed a crime, because all that Morris used at my time of arrest had been compelled out of me not only by the gun but also by the threat of my mother's death and all too make me a witness against myself. And if it was not by my coercion then it was by Morris's, and if it was not by Morris's it was by Carroll's, and the only ones free-at-liberty to change the outcome was Morris or Carroll, both of whom by their actions were in conspiracy against me. The outcome was, Morris determined the Probable Cause by a trick of the underlying circumstances. And why should the court believe this? Allow me to demonstrate: (C.F. News 15d-3dcd) 1/3 Boswell 1/11/11 how 33,349 to wit. What Ms. Brown saw was a lie because Morris got tipped - Told Mrs. Brown his story as if it was truth - a warrant was issued. But Morris did not tell Mrs. Brown he acted off Carroll's tip i.e. All his information that is in the warrant was found by Mrs. Brown by Morris simply saying what he heard in the 911 phone call he listened to on replay made by Carroll. Morris never told Mrs. Brown or showed Mrs. Brown his claim was from this 911 phone call alone, and I know because I was standing right there when he told Mrs. Brown, "I have Mr. Thomas here and I need a warrant for 1st degree murder and arson of a Marie-Otis Thomas." He gave Mrs. Brown my I.D. taken by him, and before I could get one word in she was typing and printing and some other guy grabbed me by the cuffs while I tried to object and put me in a cell, and no sooner than he closed the cell the warrant server was opening it up with the warrant. I mean it happened in less than 5 minutes from us walking in to the room Mrs. Brown was in, to me getting the warrant. Morris did not swear affirm or anything close. And when I was carried out Morris came out with me to the cell. That's what Morris said from start to finish. Morris did not say this is true or correct or he believed or he knows. He just gave her my I.D. for my address. And she guessed the date by saying "OH it's the first 10 second." I tried to object... IF MY OWNER WERE THERE THEY COULD HAVE SHOWN MY INNOCENT AND PROTECTED MY DUE PROCESS TIME. I AM NOT BLACK P.P.Y.

Harold W. T. T. E. V. WARDEN, WYOMING STATE PENITENTIARY  
 March 29, 1971. We have to focus, not on the physical arrest, but the part where  
 the "Sheriff" acted on the tip, and then did not tell the Magistrate he was acting on that  
 tip, and then did not tell the Magistrate he was acting on that TIP. It can be  
 broke down this way: Sheriff got tip - Told Magistrate of TIP - Warrant was issued -  
 and Sheriff did not tell Magistrate he acted on informers tip. Morris's Story: I have Mr. Thomas.  
 And that's what Morris did. He lied and hid things because he was afraid of  
 the things that Miss Brown might see. He did not want her to look with her own  
 eyes or hear with her own ears. Morris Transgressed Bright Lines. See Morris  
 could not tell Miss Brown his info. was a tip because he did not want to tell her about  
 the credibility he knew of and what he did not care to check; Because then  
 he would have to wait another day or so to do more work and all Sheriffs Police etc...  
 said "Unfortunately we have to work today." And how they did the dialog was not a oral  
 oath was it? You see how I show you they said it above? I did not hear a, I swear or  
 affirm or God help or any of that; How I record Morris herein and how I record Miss  
 Brown is how they arrived at arresting me; It was a rumor! Rumor Report! Is that a  
 oral oath? So we know there is a deficiency in the Veracity and basis of knowledge. How  
 would Morris cure deficiency is the question. And he would cure it by telling Miss Brown  
 the TRUTH of the tip and doing a bit more work to establish who Carroll was, motives  
 to weigh, other witnesses, etc... who I was and other elements outside the tip to  
 compensate for the lack of Veracity and basis of knowledge. None of that happened,  
 In fact Morris did not present any papers, exhibits or anything, he just walked in with me  
 and said what he said and Miss Brown - did not - ask any questions. Morris presented ME.  
 Morris's information they used to reach to arrest me was me. Morris brought in a PRIZE.  
 Morris's information was, "I have Mr. Thomas here...." That was it. Morris's information fails  
 both the totality of circumstances approach and the 2 prong test, to establish  
 Probable Cause. So that Morris seemed to but did not relay demonstrate he had a  
 Particularized and objective basis for suspecting legal wrong was Morris's GOTH. In  
 other words Morris had common sense and chose NOT to use it because he,  
 tired of working, Pressured by the D.A., and Confused by his own Partners lack of  
 concern for my mother, and at that late point in the day 9pm 2-2-2010 Morris  
 said forget it, lets get it over with and he just STOPPED caring for the TRUTH.  
 That being said, Procedural deficiency in the oath or affirmation does not mean  
 a warrant should not issue - Generally speaking. But in light of the facts known to  
 Morris and NOT known to Miss Brown, my arrest should have not occurred because  
 Probable Cause for arrest is the central issue, No oath Affirmation procedure was used!  
 Not informing Miss Brown of the tip and what was known about Carroll's Gang activity on  
 2-2-2010 and 2-3-2010 was NOT harmless error, in light of No Procedure of oath.  
 So I now establish that Procedural deficiency in not attaching my statement given to Police  
 while riding in the car to Graham Station and not attaching the fact that Morris's info.  
 came from Carroll's tip is the source of my rights violations at issuance of  
 my warrant and 2 source of damages, for deprivation of my Federal Constitutional  
 rights 4th, 5th, 6th, 8th, 13th, 14th Amendments, Also a source: libel, Denationalization with No oath at all.  
 And so the arrest warrant was not valid and a act of malice not just for being Black,  
 but also for telling Police I did not trust them to protect my heart, my hero, my mother.  
 On 2-2-2010 Morris said, "This is the 1st time I spoke to or saw Miss Brown today about Mr. Thomas at 9:26pm."



citing *Malley v. Briggs*, 475 U.S. 335, 340-41, 106 S.Ct. 1092-1095-96, 89 L.Ed.2d 271 (1986)

And had these Facts been known my arrest would not have taken place. Also important to evaluating the totality of circumstances is I never Engaged in a crime or said to anyone at anytime that I did. Remember Carroll was a non-witness and had Morris found his witness he would have arrested him as the criminal-killer that he was. I would have lived on to see another day working my way all the way to Wall Street, like my wife wanted me to do I worked for The American International Group, I would have been a Billionaire by now had I not been arrested, with No oath et al. What Should have the Police on the Ride to Graham Station told me? Did they have a legal right to say what they said? I would say NO. Under our law duress exists where a person, by the unlawful act of another is induced to take an action which he had a legal right to abstain from performing. See e.g. *Chase Manhattan Bank v. State*, 13 A.D.3d 873, 874, 787 N.Y.S.2d 155 (3d Dep't 2001).

I think we can weigh the unlawful act against the "Sheriff's Oath" the "Judicial Officers' Oath". Here is an example, "I . . . do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God." Now let's compare the "Law Enforcement Code of Ethics" attached in the Appendix. (They did not have the right to tell me to lie about an investigation or the right to say they could not protect my Mother from the Gang.) The oath says they have a duty, and it is to protect and serve, "safeguard lives", "protect the innocent", "against deception", "against oppression" - "intimidation". By compelling me they did not "respect the Constitutional rights of me" to liberty, equality and justice. What I told them in the car I told them in a "confidential nature" and as their duty they did tell Morris but as Morris's duty he should have told Miss Brown. I did tell the Sheriff's in their "Official Capacity". Yet when I told them I did not trust them instead of saying "well Thomas we are going to put a car outside your Mom's house and partner with the Durham Police to do rounds in her neighborhood combined with regular welfare checks by phone? in person and have you and others look at photos of Gang members to see if you recognize them, so we can stay on top of this." Instead of doing that they took my liberty to tell. In doing that instead of what they should have done they acted "officiously" and they permitted "personal feelings, prejudices" and "animosities" against me to "influence" their "decisions". And Morris could not live up to "Public Faith" or "Public Trust"; The 4th the Police in the car to Graham Station and Morris did that from "fear" of Gangs, "favor of Gangs", "malice" toward me and "illwill" and "unnecessary force" because I said I did not trust them and because they see me as Black. If they would have told me what they should have told me "instead" as I outline above I would have been at liberty to tell the TRUE accounts. The answer is NO, They had no legal right to tell me that they made me the "enemy" of their oath, yet I am a friend to the Constitution! Morris simply fails to ABIDE FACTS upon which SUBJECT MATTER JURISDICTION can be based to wit:

That contractual Oath is not to be Superseded by Police Policy Code books, nor to be used for revenue extortion Schemes, Weild in opportunistic Municipal Rules and Regulations. So they cant say they lied Per Policy etc... and what they were really going to do was what I have outlined that they should have done instead. And Mis. Brown did not act as a Judge. She did not even want to hear my side. What she should have did was say "Hey wait bring Thomas Back he was saying something I need to hear." BY not acting as a Judge/Referee she - Mis. Brown acted as a (Prosecutor) Non-Prosecutor Brown. And so as the Plain Truth unfolds the Constitution unfolds, and Morris, Mis Brown, The arresting officers taking me to Graham Station, all Violated The Constitution For The United States. Now I told Mis Walsh in informal Notice, Formal Notice, Review of Formal Notice that "The North Carolina Prosecutor has Failed or refused to Prove Jurisdiction over the Person.... National Origin." and She ask for a remedy. "I want to be released... (One Billion Dollars)." See "Grievance Statement" and Reply attached in Appendix, and there is no "Probable Cause" for my arrest, I am "Falsely arrested", I am "Wrongfully imprisoned", And she did nothing, did not say nothing and I been saying that to every body the whole time. So I dont want to hear all what you want - Mis Walsh might want to add or show about the Warrant Now.

"Where, notwithstanding State Prisoners Constitutional Challenge to his arrest at each stage of proceedings against him, Warden of State Penitentiary made no attempt to show that magistrate who issued arrest Warrant had more information than was presented in the complaint, Warden was not entitled to attempt to do so on remand; and writ of habeas Corpus must issue unless the state appropriately arranged to retry the petitioner." See U.S.C.A. Const. Amends. 4, 14; 28 U.S.C. § 2106 and Harold WHITELEY V. WARDEN, WYOMING STATE PENITENTIARY, Decided 329-1971 U.S. Sup. Ct.

These are Habeas Corpus Proceedings, the State is technically not a Party. OF any re-Trial - There can be no legal proceeding without the establishment of Proper Status and Correct jurisdiction. These two Pillars of Law must be in Place and have Precedence before the adjudication of all formal matters and all alleged offense(s) can be addressed. The court for me must be an Article III court Per The Constitution For the United States and Permission From The U.S. District Ct. Per Title 28 USC 1330 must be given to deal with a living natural person such as myself. Also I would only go to trial per the law of our Treaty of Peace 1796 meaning: This treaty forbids Moroccan Moslems being tried in any Christian Court of Law and to have a Blue Ribbon Jury or Islamic Consul Representation. The U.S. further agrees to provide a 'Blue Ribbon Jury' of one's peers, upon demand and status. And so I Affirm P. Thomas Bel here by Demand and Sequester all these provisions here in "of any re-Trial" along with all 4th Am. to the U.S. Const. Probable Cause provisions as expressed in this writ. These Treaty rights I claim have little to do with Morocco est. 1956 AD, and are based on "The Moroccan Empire" that was a party to that treaty whos land was split into a 'French' Spanish Protectorate and an Int. Zone; If you get an old 1960 AD Webster's Unabridged Dictionary and look at Morocco and the square miles of 3 Parts you will see it was not modern day Morocco of 1956 AD. Also MY "Official Proclamation of... Nationality" places me in that Empire currently and formally existing in America among other places. Not to cause confusion. Any retrial would be a violation of double jeopardy protections of the 5th Am. So dont worry of these "Provisions".

# JUDICIAL OFFICIAL WAS GIVEN 0-ZERO INFO-0!

In witness to the the crime of lack of evidence, lack of information, lack of common sense, lack of capacity, lack of Honor, lack of respect for due process I Alphonse Leonard Phillip Thomas-Bey affirm that what Morris and Brown did was in fact unconstitutional in violation of The 4th Amendment To The Constitution of The United States of America. Setting off the violations w/ 5th, 6th, 11th, 13th, & 14th Am's. The United States Supreme Court has already confirmed that if a court does not have Jurisdiction over a issue it can not adjudicate over that issue and must Dismiss, melon v. U.S., 505 F.2d 1026, 1030; Face v. Long Beach City High School Dist. (1943), 137 P.2d 60, 58 CA 2d 566 So the State Court in Alamance County is contrary to clearly established Federal law in their judgement against me and this Jurisdiction Question of Law and Supporting Supreme Court Precedent. So it is reasonable to say I suffered a denial of Constitutional rights. (If this is inartful I plead I am sorry my whole body feels broken right now). With The United States having Jurisdiction of these issues I do confess Ms. Brown acted as a RUBBER STAMP. She was given 0-Zero information in order to Issue a warrant for my arrest. But she did see me, looked into my eyes and saw I was alive; Her Paper was Served to me and contained a high degree of libel; It Alleged I was BLACK and that I committed crimes making me a "Black Monster". That Black Monster label was given to me by Laura Wickline in trial and so upon the libel I was convicted by The State of North Carolina, and charged by that State so This Federal Court Should hear my claim. Scheuer v. Rhodes 416 U.S. 232 94 S.Ct. 1683, 1687 (1974)

Slavery was ended by the 13th Am. of the U.S. Const. and Provides me the correct due Process prior to my Freedom being restricted, and the Pertinent Part of that amendment was not followed in my Criminal case of v.c. i.e. "Neither Slavery nor involuntary Servitude EXCEPT as a punishment for a crime whereof the Party shall have been duly convicted shall exist within the United States or any Place Subject to their Jurisdiction."

Oh but it does exist for me and the Process is still due, so there was no Null Convicted. And the 13th Am. Has nothing to do with Black; But, libel has something to do with Black and with the crime. Curtiss Morris says I did. And that's why I am within the Jurisdiction of this Court. Now From my attachments you can see my Motion to dismiss laid the Foundation in the Interest of Justice, kicking off my effort to help you see I need Equitable Tolling, and it's a Constitutional Foundation; My Admin. Remedy Steps laid the Procedural Foundation for exhaustion of state level procedures and resurrected or restarted the Federal Statute of Limitations in the interest of Justice, and I must add that I have sent about 600 Six hundred Requests to the D.O.A.S Office year after year demanding their Proof of Probable cause diligently evenly spread out over my 13 yrs of Unlawful imprisonment and they never did anything, failed and refused to show Proof, and this is why. The Code of Ethics and my other claim under §1983 highlight the height or towering level of the Constitutional Violations upon me. And that is what I rely on; Not my Nationality, because I am unaware of any Moor being able to successfully base a legal claim on membership in the M.S.T.O.F.A and you may know that claim for me but that is only because I sent constructive notice of that to Joseph R. Biden Jr.

Since 2010 AD Pat Nadolski hid his lack of Probable cause from me, The Public, The North Carolina Court System, and, Mis. Brown the Judicial Official who issued my Warrant for arrest. And he did that so I could not file this Habeas Petition, he is a powerful man with endless resources and he's real tight with Jausha Stine the Attorney General of North Carolina who is helping Pat do this. I told Nadolski in all my letters, the 4th Am. and §54-36(a) were violated with No oath given by Morris. I pointed out the Law.



The Fact Pat has stoped me at every turn from getting what he says he has is external to my conduct. You see I tried to get the lack of Probable Cause out front and no one helped me, even those listed in the People I Served and Organizations I Served in my Motion To Dismiss attached. In other words There is a direct Causal effect between The North Carolina State Prosecutor's Failure or refusal to Prove Jurisdiction over me and my delay in my ability to file my habeas Petition; Now that's extraordinary and they were all impediments created by State action. But Now the factual predicate of my claims presented are now discovered thru my exercise of due diligence. I do fall within the starting dates of § 2244 (d)(1) - You see Outside of my hundreds of Requests I challenged the D.A.'s office in court on 11-01-2022 and attached, then did a Grievance Process that ended 11-28-2022; Now I seek relief within my time limit. It was the failure or refusal that stoped me from this habeas Petition. *Stuck v Medical Examiners, 94 Ca. 2d 751, 211 P. 2d 389*

Now had Pat not been working so hard to keep this from the courts and public and keep all my efforts to have all this known suppressed, no reasonable factfinder would have found me guilty of the crime because there would have been no Jurisdiction to arrest and convict me, and that fact is established by clear and convincing evidence. *Basso v UPL, 495 F. 2d 906*

So here we must resort to equity to toll Statute of limitations for filing this § 2254 action because this is a rare instance where, due to the circumstances external to my conduct, it would be unconscionable to enforce limitations to this filing. Even Pat's Successors acted in the same way after his office, because Pat told them they never had Jurisdiction over me.

Now due process is flexible, but it is well settled that the more serious the crime the better or more due process should be used. So why did Curtiss Morris do what he did for the most high level of crime? Answer He used no common sense in his investigation. Now that also is rare and extraordinary because historically investigators use better and more due process with more serious crimes, and that's why Pat hid this - because it would have made him a mock among his New Public; Senses were not used due to my race, color, National origin.

And so I direct you to my motion to dismiss? Grievance response; These are more than just legal conclusions that back my claims, my claims are rational and credible and show willful false arrest, and look at all the people and Orgs that did nothing; These are the same people who helped Pat to suppress the fact that my Judicial Official was given zero information - to arrest me. There was an absolute total disregard to the matters and these are criminal acts, showing a direct causal relationship between all the years of due diligence I made to have my lack of Probable Cause known and the lack of action shown here today by defendants. i.e. They don't care now and they did not care in 2010, 2011, - thru to today. And the acts by Jennifer Walsh violate existing law; She is part of the kidnapping, slavery, false imprisonment was noticed of it - and holds me still, and had a DUTY to help me yet did not.

Also out of all the citizens in Alamance County I am one of the few who due process in a murder investigation was not handled properly considering all the murder investigations that have taken place there; So this is a rare instance and indeed extraordinary. Also in N.C. The Statute law and practice in law was to always have an oath or affirmation in Affidavit form to support Probable Cause but that was changed in 1973, see § 15A-214(d) but up till then for HUNDREDS of years the Affidavit was the way; So this is a rare, extraordinary, instance indeed indeed. Q: Why? Ans: Blackness.



What Morris did was his choice. And my oath or affidavit claim may not have any basis in law at this time and that is the choice of North Carolina and its law makers. However, the fact Morris took no oral oath or gave any information past presenting me as a "Black" provided my claim basis in law. Habeas Court, please have the Alamance County officials produce exactly what Morris told Miss Brown in certified, time stamped, verified under penalty of perjury. So that all the items listed in sections 9-9 of my Motion To Dismiss Attached can be worked out the best way possible at this point. You see what kind of problems this causes for ones Federal Rights - There deprived!

OK The Alamance County and North Carolina Policy or custom that caused the deprivation of my right to all the items listed 9-9 in my Motion to Dismiss Attached, of not requiring a oath or affirmation is a relatively new Policy or custom. You see, there in STATE V Almeta WHITE, that's why I need such a good Policy or custom - For my case it literally could have proved my innocents early on. But North Carolina and Alamance County changed the Policy in 1973 and that hurt me, BAD.

What Morris did was not reasonable when he took me before Miss Brown and he knew it violated my 4th Am. const. right. He just presented me as if I was some known criminal that had committed a crime in the view of him, Miss Brown and the whole town. And Miss Brown just started printing my Warrant, and they both did it "willfully" as the term is used in criminal statute. That current statute is Unconstitutional.

But here it is the fact of my confinement that I challenge. You will find from evidence that clearly established law is violated using a inhuman, murderous custom or Policy that is only an element of an even greater crime with many more persons involved. Frace v. Long Beach City High School Dist. (1943), 137 P.2d 60, 58 CA.2d 566, Who Alleged?

Once I was arrested at my mom's house I never left the custody of Alamance County Sheriff. So I never had a chance to get free or defend myself or my family. No intervening events broke arrest at my mom's house and my "interview" at Graham Station. And the later miranda warnings can not render illegality of arrest cured. I never confessed to a crime because I did not commit any crime. Pickerson v. U.S. 11305 (1973)

"When law enforcement officers, by words or actions, indicates that individuals must remain in the officer's presence or come to the police station against his will, the person is for all practical purposes under arrest if there is substantial imposition of the officers will over the person's liberty." Huebner v. State 33 Wis. 2d 505, 147 N.W. 2d 646 (1967). Then they produced Bad FRUIT.

"In evaluating the admissibility of a defendants statements made after an illegal arrest, the government bears the burden of establishing that the defendant's statement was sufficiently an act of free will to purge the primary taint." Brown, 422 U.S. at 602, 55 S.Ct. 2254. And again I hereby invoke this 2254 action to challenge the constitutionality of that state of N.C. statute, but it is a pretty bad Policy, and if it was the old Policy like the one prior to 1973, like the one Almeta White was under I would not be injured today. And many great judicial officials once used an oath or affirmation in affidavit form to support their warrants. So we can't say its unconstitutional to use an affidavit that way, and as I have shown that type of affidavit as evidence would help protect my constitutional rights, so that type of affidavit must be constitutional. We will expose the TRUTH as to why all these lawmakers from coast to coast are making these new unconstitutional statutes like S15A-304(c)(5), in my up and coming §1983 action. When a claim is against the U.S. you need a affidavit see U.S. v. JIMMY BATTLE USCA Ten Term 1985 - To prevent perjury, when affidavits are not sworn a warrant for search is invalid see Levine v. City of Bothell USCA 10 Wash. 10-24-12 And that needed to be under penalty of perjury, that's what Morris should have done. And if the defendants cannot produce that, then it does not comply with the constitutional standard and all my relief should be granted. Now we know the basis for perjury does not have to be supported by oath or affirmation. BUT IN MY CASE THERE WAS NO INFO. FURNISHED UNDER OATH BY MY ARRESTING OFFICER IN ANY FORM - AT ALL - I know I was right there!



1. Are Black Persons declared as a type of Property taken in a act of WAR when President Roosevelt Publicly Proclaimed them as Property as "assets" of the United States Under Emergency War Powers and the Shepard Maternity Act?
2. If there are rivers and waterways in America taken by the United States via Louisiana Purchase Treaty 1805 and Guadalupe Hidalgo Treaty of 1848 when people who are now called Black were already living on that land, are those people who did not consent to that taking also now Property of the United States?
3. As for Moorish Americans who have equal Protections of law per the Treaty of Peace 1786 Art. XX - XXI, are those Moorish Americans Privileged to have equal Protections of the law of the 4th, 5th, 6th, 8th and 14th Am. of The U.S. Const.?
4. If 35 of 37 States that existed when the 4th Am. to the U.S. Const. existed, say that Bail should not be excessive, should those same States now arrest persons and not give them any bail at all unable to pay?
5. If any rights under the 4th, 5th, 6th, 8th, 13th, and 14th amendments are violated per the provisions of the U.S. Const. and those rights result in imprisonment, is it also a violation of the 13th Am. of that same Const.?
6. Any person taken as Property during a war's Prize Booty if they are a Moorish American national taken by the U.S. or one of the several States, cities, counties, in light of the Trading with the enemy Act and the United States being under operation of Emergency War Powers - correct?
7. When a Prosecutor causes a natural person's seizure without Probable Cause and convicts said person to a life sentence is it a violation of the 4th, 5th, 6th, 8th, 13th, and 14th Amendments to the United States Constitution when that Prosecutor is for the State of North Carolina?
8. Should officers seeking arrest warrants take a oath or affirmation orally and if so and they don't take such oath or affirmation orally, is it a violation of the U.S. Const. 4th Am. when the suspect is arrested thru such process?
9. Are White and Black persons similarly situated if born in the U.S. when subject to the All Persons Born clause of the 14th Am. U.S. Const.?
10. How the word "Black" can find no formal place within the nationalities of the human family and still can be made "Citizen" of a free national and constitutional government?

In STATE V. Almeta WHITE, May 2 1956 the Statute mentioned to Support oath or Affirmation in Affidavit Form is "Repealed". And to the effect where an Affidavit is no longer needed.<sup>a</sup> But why did these Affidavits apply to Search Arrest Warrants in the First Place?<sup>b</sup> And am I a Human?<sup>c</sup> Should we follow the law as laid?<sup>d</sup> Is there a Judicial Review to make sure that Statutes don't abrogate or Repeal the Constitution and Declaration of Rights for North Carolina?<sup>e</sup> Does the U.S. Congress give the Supreme Court the Power to hear my issues? Well one thing is clear: Someone of a Great Judicial Mind thought it Proper for such an Affidavit to exist; that thought was based from established law that existed prior to any N.C. Statute on the Warrant Issuance and I am a Human equal to Almeta White who now needs such an Affidavit to show how my Rights under the Federal Law were violated and the absence of an Affidavit seems to also violate my Federal Constitutional Rights. What the (Statute-renewed) really does is try to overrule the 4th Am. to the U.S. Const., But that cannot stand. I am not trying to win this case because of innocence, I am innocent, But this is a case about a grave injustice of a Constitutional Violation in Issuance of my Arrest Warrant Rooted in hypocrisy and tricks. So I am not saying my status as Moorish American places me beyond the reach of Federal law; likewise the defendant is not beyond the reach of Federal law and my claims are not based on my membership in the M.S.T.O.F., and are based on my Federal Constitutional Protections being Violated; I am responsible, under the same law I claim a benefit from, so MisWalsh and all involved lose their benefit when they Violate their Duty to act in the face of my Constitutional Violations; so any claim to immunity fails on its face. My Factual Contentions are the clear violations of my 4th Am rights - why do you think I gave so many examples of the what if - coulds - shoulds - and whys? I did that to show that in the Universe of Morris's mind any Prudent man would have tried harder to get more sufficient information considering all the ways this could have been - See Morris Couldn't have known in his heart of heart - his mind that he was doing the right procedure. Bottom Line, any way you look at it Morris did it the wrong way, and if I am Subject to the law then he is. YET MORRIS EVEN ACTED OUTSIDE USS. § 15A-304(d) - So did MisBrown - There was No oath! Being Cognizable on habeas review, I am in State Custody because I was convicted of State crimes and given a life Sentence. But I still have Pride, so upon my ability I declare my Jurisdiction Challenge, Supreme Law of The Land because if the United States Constitution is Right, the Challenge is Right, and if the Challenge is Right, then my arrest is wrong, applying the Supreme Federal Laws to The States by way of The 14th Am. of The U.S. Const. and my Rights acquired by my knowledge of Self Reserved via the 9th article of The Bill of Rights - U.S.C. 1-308. Demonstrating that I am in State Custody in Violation of the Constitution, Laws, treaties of the United States. See my Federal Questions herein, Motion to Dismiss, and Jurisdiction Challenge. I have Standing - My Action does not fail on its face. Mc Donald, 561 U.S. at 763-767, and nn. 12-13, 30 S. Ct. 3020. But fraud and libel are under State Law. But if you look at The AMISTAO January Term, 1841 U.S. Sup. Ct. Any Government Doc. created by fraud in any sense is void if the fraud is libel like saying I did a crime and I am Black. Now my Fraud Claim is Cognizable in Federal Law. And Morris knew I did not commit a crime. he was just tired, pressured, and hated to a "black" so he took the easy way home, at my expense. I give a lot of examples, if's, could's of all the defendants should's, but outside that, what Morris did do was totally Fail - He furnished no oath or affirmation period - That's the TRUTH!



of The steps I tried to take with The Inmate Grievance Resolution Board. I sent in formal communication to Jennifer Walsh Top Warden at the Prison I am in: That was in the form of a copy of The Jurisdiction Challenge that I FILED in Alamance County 11-1-2022 An. in accord with N.P.S. Policy .0301 to no avail. Then sent formal communication thru the Grievance Channel Per N.P.S Policy .0301. I was then rejected in accord with N.P.S. Policy .0310(CS) where N.P.S. officials say my issue is beyond their control. However Policy .0301 Provides for "actions", "incident", "orders for action", "restoration", "restitution for personal property"; It also states "Remedy is not limited". And all Rejections go to the Prison Head Jennifer Walsh for review per Policy .0305. So Jennifer Walsh has had ample chance to do something, 3-Three Chances! Could have had more but chose not to. For example, Walsh could have sent my Grievance to the Board set out in NPS Policy .0313, who are lawyers Judges etc... and who have subpoena powers, summoning powers, Thus Production of People and Documents Power. Meaning all that I am asking this Court to do and look at could have been done by the N.P.S. officials. So every single document whether it was found to exist or not, could have been gathered and every single person needed including but not limited to all that were noticed on my Jurisdiction Challenge FILED 11-1-2022 in Alamance County. And when the Board = Saw the lack of Probable cause as outlined above, they could have given me a settlement in money reached by me and them for their part in the "Denationalization, mistreatment" etc. outlined in my Grievance, and sent me back to the Alamance County jail with a memo to issue a warrant upon Probable Cause supported by oath of affirmation, and particularly describing me as the natural person I am and not as a "B" lack and re-adjudicate the matter under those terms prior to re-committing me for that crime. Now all of that was within the power of and control of the Department of Public Safety. But Jennifer Walsh had more than just that option. She could have said "ok Thomas is a good inmate he has not had a write up in ten years, he's constantly working jobs for the prisons we have had him in while taking classes and being a faith helper of M.S.T. of A where he has a reference letter from my officers my admin. staff and taken a entry interview for a faith helper and was chosen by the Director to lead a whole Big group of inmates, and he seems to be working pretty hard on his legal work." "lets give him a good recommendation to the new "Division of Adult Corrections Post Supervision Parole Commission" because at the first of the year 2023 they proclaim to help any inmate with parole." She Jennifer could have met with me on behalf of all that is in North Carolina that I now sue and told me something like that and I may have said "ok lets see how that goes mis Walsh Thank You for your time and your personal consideration." Jennifer Walsh never did any of that, and all that was actionable on her part, is still. Main V. Thiboutot, 100 S. Ct. 2502. Deprivation of MY Status? Jurisdiction by the 13th, 14th, 15th, 11th, 5th, 4th, 1st, 2nd, 3rd, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 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1134th, 1135th, 1136th, 1137th, 1138th, 1139th, 1140th, 1141st, 1142nd, 1143rd, 1144th, 1145th, 1146th, 1147th, 1148th, 1149th, 1150th, 1151st, 1152nd, 1153rd, 1154th, 1155th, 1156th, 1157th, 1158th, 1159th, 1160th, 1161st, 1162nd, 1163rd, 1164th, 1165th, 1166th, 1167th, 1168th, 1169th, 1170th, 1171st, 1172nd, 1173rd, 1174th, 1175th, 1176th, 1177th, 1178th, 1179th, 1180th, 1181st, 1182nd, 1183rd, 1184th, 1185th, 1186th, 1187th, 1188th, 1189th, 1190th, 1191st, 1192nd, 1193rd, 1194th, 1195th, 1196th, 1197th, 1198th, 1199th, 1200th, 1201st, 1202nd, 1203rd, 1204th, 1205th, 1206th, 1207th, 1208th, 1209th, 1210th, 1211st, 1212nd, 1213th, 1214th, 1215th, 1216th, 1217th, 1218th, 1219th, 1220th, 1221st, 1222nd, 1223rd, 1224th, 1225th, 1226th, 1227th, 1228th, 1229th, 1230th, 1231st, 1232nd, 1233rd, 1234th, 1235th, 1236th, 1237th, 1238th, 1239th, 1240th, 1241st, 1242nd, 1243rd, 1244th, 1245th, 1246th, 1247th, 1248th, 1249th, 1250th, 1251st, 1252nd, 1253rd, 1254th, 1255th, 1256th, 1257th, 1258th, 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1384th, 1385th, 1386th, 1387th, 1388th, 1389th, 1390th, 1391st, 1392nd, 1393rd, 1394th, 1395th, 1396th, 1397th, 1398th, 1399th, 1400th, 1401st, 1402nd, 1403rd, 1404th, 1405th, 1406th, 1407th, 1408th, 1409th, 1410th, 1411st, 1412nd, 1413th, 1414th, 1415th, 1416th, 1417th, 1418th, 1419th, 1420th, 1421st, 1422nd, 1423rd, 1424th, 1425th, 1426th, 1427th, 1428th, 1429th, 1430th, 1431st, 1432nd, 1433rd, 1434th, 1435th, 1436th, 1437th, 1438th, 1439th, 1440th, 1441st, 1442nd, 1443rd, 1444th, 1445th, 1446th, 1447th, 1448th, 1449th, 1450th, 1451st, 1452nd, 1453rd, 1454th, 1455th, 1456th, 1457th, 1458th, 1459th, 1460th, 1461st, 1462nd, 1463rd, 1464th, 1465th, 1466th, 1467th, 1468th, 1469th, 1470th, 1471st, 1472nd, 1473rd, 1474th, 1475th, 1476th, 1477th, 1478th, 1479th, 1480th, 1481st, 1482nd, 1483rd, 1484th, 1485th, 1486th, 1487th, 1488th, 1489th, 1490th, 1491st, 1492nd, 1493rd, 1494th, 1495th, 1496th, 1497th, 1498th, 1499th, 1500th, 1501st, 1502nd, 1503rd, 1504th, 1505th, 1506th, 1507th, 1508th, 1509th, 1510th, 1511st, 1512nd, 1513th, 1514th, 1515th, 1516th, 1517th, 1518th, 1519th, 1520th, 1521st, 1522nd, 1523rd, 1524th, 1525th, 1526th, 1527th, 1528th, 1529th, 1530th, 1531st, 1532nd, 1533rd, 1534th, 1535th, 1536th, 1537th, 1538th, 1539th, 1540th, 1541st, 1542nd, 1543rd, 1544th, 1545th, 1546th, 1547th, 1548th, 1549th, 1550th, 1551st, 1552nd, 1553rd, 1554th, 1555th, 1556th, 1557th, 1558th, 1559th, 1560th, 1561st, 1562nd, 1563rd, 1564th, 1565th, 1566th, 1567th, 1568th, 1569th, 1570th, 1571st, 1572nd, 1573rd, 1574th, 1575th, 1576th, 1577th, 1578th, 1579th, 1580th, 1581st, 1582nd, 1583rd, 1584th, 1585th, 1586th, 1587th, 1588th, 1589th, 1590th, 1591st, 1592nd, 1593rd, 1594th, 1595th, 1596th, 1597th, 1598th, 1599th, 1600th, 1601st, 1602nd, 1603rd, 1604th, 1605th, 1606th, 1607th, 1608th, 1609th, 1610th, 1611st, 1612nd, 1613th, 1614th, 1615th, 1616th, 1617th, 1618th, 1619th, 1620th, 1621st, 1622nd, 1623rd, 1624th, 1625th, 1626th, 1627th, 1628th, 1629th, 1630th, 1631st, 1632nd, 1633rd, 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1759th, 1760th, 1761st, 1762nd, 1763rd, 1764th, 1765th, 1766th, 1767th, 1768th, 1769th, 1770th, 1771st, 1772nd, 1773rd, 1774th, 1775th, 1776th, 1777th, 1778th, 1779th, 1780th, 1781st, 1782nd, 1783rd, 1784th, 1785th, 1786th, 1787th, 1788th, 1789th, 1790th, 1791st, 1792nd, 1793rd, 1794th, 1795th, 1796th, 1797th, 1798th, 1799th, 1800th, 1801st, 1802nd, 1803rd, 1804th, 1805th, 1806th, 1807th, 1808th, 1809

Alamance County Judicial Officials may agree that Sergeant Morris did not need to Give Magistrate Brown an unrecorded oral testimony.

I Disagree - THE PROCESS IS STILL DUE - I want 14th Am. Benefits!

The Fourth Amendment does not require that the basis for probable cause be established in a written affidavit, it merely requires that the information provided the issuing magistrate be supported by "bath or affirmation." U.S. CONST. amend. IV. Moreover, the Amendment does not "require that statements made under oath in support of probable cause be taped, recorded or otherwise placed on the record or made part of the affidavit." Shields, 979 F.2d at 946. It follows that magistrates may consider sworn unrecorded testimony in making probable cause determinations during warrant proceedings. See *id.*; *United States v. Hill*, 500 F.2d 315, 321 (5th Cir. 1974); *United States ex rel. Gausler v. Brierley*, 477 F.2d 516, 522 (3d Cir. 1973); *Frazier v. Roberts*, 441 F.2d 1224, 1226 (8th Cir. 1971), and that Sergeant Morris by not giving any oral testimony did not properly inform Magistrate Brown's decision to issue a Warrant in my case. i.e. There was no oral testimony given to Mrs. Brown and the issuance of my Warrant was not governed by the 4th Am. to the U.S. Const. in any respect. On 2-2-2010, when Morris and me walked into Magistrate Brown's office Morris said to me "this is the first time I have seen or spoken to Magistrate Brown about your case." Next Morris said, "I have Mr. Thomas here, and I need a warrant for 1st degree murder and Arson of a Marieoris Thomas." Then he gave Mrs. Brown my ID he took from me. Last Mrs. Brown said, "OK it's the first No second." and started printing the Warrant when I tried to object a man carrying me off and Morris followed and seconds later the Warrant Server said to me in the a warrant for your arrest. Morris turned to the Server and said, "This is the 1st time I spoke to or saw..." Upon no oral testimony, no swearing, nothing sworn, no affirming, nothing affirmed, no testimony my Warrant for arrest was issued. *Hagan v. Lavine*, 115 U.S. 533

U.S. CONST. amend. IV Search warrant and arrest warrant requirements are the same. The conduct of State officials remains subject to the safeguards of the Fourth Amendment, and in my case officials did not need to do much to keep their conduct straight, and they did not even do the little safeguards they are subject to. *Hoffsomers v. Hayes*, 920 K1a 32, 227 F.417

After my Warrant was served Morris made the comment to me "No one has found or spoken to the person who made the 911 call that led us to you." cf. The attached memo of Law Affidavit.

The proper standard for evaluating illegal seizure claims in Federal Courts has uniformly been whether the actions of State officials in securing the evidence of probable cause violated the Fourth Amendment to the U.S. Const. - Judicial Official "MS. Brown" did not consider

sworn unrecorded oral testimony in making probable cause determinations during her Warrant proceedings; she never determined probable cause at all. Mrs. Brown let Morris determine

probable cause in his own mind thinking silently to himself, with all of the prejudice Morris had against me outlined herein, giving you the makeup of Morris's mind. What Morris did was not reasonable. That is "what Morris did", "what Morris said", "what Morris

think so" - Morris's actions are bid. *Nestor v. Hershey*, 425 F.2d 504. Mrs. Brown Alone INVESTIGATED.... I never waived my right to have probable cause found in order to be arrested, voluntarily or

knowingly. I was not provided opportunity for full and fair litigation of my 4th Am. claim by the WARDEN. As for my arrest there was no reasonable cause, no evidence considered more for than against, no

reasonable ground for belief in the existence of facts warranting the proceedings complained of, no apparent state of facts found to exist upon reasonable inquiry (that is, such inquiry as

my case renders convenient and proper), which would induce a reasonably intelligent and prudent woman like Mrs. Brown to believe, in my criminal case, that me the accused had committed

the crime charged. No reasonable grounds for belief that I should be arrested. No existence of circumstances which would warrant a person of supposed reasonable caution like Mrs. Brown to

believe that an offense was committed by me. No existence of circumstances which would lead a supposed reasonably prudent woman like Mrs. Brown to believe in the guilt of me -

the arrested party. And all of these was amount to my arrest being adjudicated on mere suspicion or belief, unsupported by facts or circumstances and is INSUFFICIENT - and is FALSE IMPRISONMENT. I am owed A DUTY. NC GS 15A-304(a) seems to TRUMP the 4th Am. And is hereby CHALLENGED as unconstitutional!



If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed.

Attach a copy of any court opinion or order, if available. District Md. DC  
In Greensboro nc 224 W. Market St. in 2019, 2020  
2021 and they were all Subject matter Jurisdiction  
issues - In The Nature of Truth and were  
all Denied - the Case numbers are Unknown  
I was filing an Averment of Jurisdiction and  
Federal Questions Jurisdiction, in hope to No avail.

15. Do you have any petition or appeal now pending (filed and not decided yet) in any court, either state or federal, for the judgment you are challenging? Yes ☐ No ☒

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised.

16. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging: not ment for a Grounds:

(a) At preliminary hearing: Randal Jones - If alive he can confirm my  
Carroll/Gang Story I told him like Sheriff's From Day 1 - one - I told every Body.

(b) At arraignment and plea: USA - to plea, Randal Jones - They  
all acted like they could not stop the Gang

(c) At trial: Randal Jones - At each phase of  
proceeding ~~they~~ they all acted helpless to the Gang

(d) At sentencing: Randal Jones - I was forced to do  
what I had to do. Randal Jones knows - ask him.

(e) On appeal: Unknown - I told the Carroll Gang issue to  
that Attorney also, I kept at it.

(f) In any post conviction proceeding: Unknown

(g) On appeal from any ruling against you in a post conviction proceeding: Unknown

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? Yes ☐ No ☒

(a) If so, give name and location of court that imposed the other sentence you will serve in the future:

(b) Give the date the other sentence was imposed:

(c) Give the length of the other sentence:

(d) Have you filed, or do you plan to file, any petition that challenges the judgment or sentence to be served in the future? Yes ☐ No ☒ - N/A

18. TIMELINESS OF PETITION: If your judgment of conviction became final over one year ago, you must explain why the one year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition.\*

"However late this objection has been made in any cause, in an inferior or appellate court of the United States, it must be considered and decided, before any court can move one further step in the cause; as any movement is necessarily the exercise of Jurisdiction. Rhode Island V. Massachusetts, 37 U.S. 657, 718, 9 L. Ed. 1233 (1838)

Also:

U.S. Const. Art. I § 9, and Article III of The U.S. Const. Provides Remedy. See Adjudication of Admin. Remedies claim has resulted in decision contrary to Federal law with the 4th Am U.S. Const., 18 U.S.C. Sec. 241-2, 18 U.S.C. Sec. 1203, The 5th, 8th, 13th, and 14th Am to the U.S. Const., In light of Art. III U.S. Const., Ex. order 13107, XX-Article of Treaty of Peace 1786, The Expatriation Act of 1868 and The Universal Decl. of Human Rights Art. 15; I am a Moorish American National within the meaning of Art. III Sec. 2 of The Const. for the U.S. I tried to compel the production of the said oath or affirmation but was unable because it does not exist. Under the circumstances that exist no one helped me with the 4th Am Violation. I was under a state of Automatism until I Filed this writ

CF: Md. Fed. case with No. 1:22-cv-271. And When Ala. Co's Judge saw The Federal law he should have Ordered MY Release Harry V. Branker 4th Cir. 1-5-2009 552 F.3d 356 His choice is "contrary to clearly established Federal law" the U.S. Sup. Ct. law. And The

choice of The Inmate Grievance Resolution Board is likewise "Contrary", and the Breach of

Const. of U.S. Contract is with the 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup> Am. So the Ala. Co. Judge has voluntarily

dismissed the charges in case 10CR050755, Also with that case the choice to convict and arrest was

in conflict with the State law and Federal Law Source i.e. 4th Am U.S. Const. Also by my hearing

Morris? MS Brown I possess sufficient knowledge of Harmie. Fed. Cause of - (continued) →



action now accrues; The Inmate Grievance Resolution Board was provided a full and fair opportunity to resolve my Federal Constitutional claims and was shown the operative facts & controlling principles; Even so resolve was beyond their control. Thus this action. The Federal Statute of limitations is now resurrected or restarted as of 11-28-2022. In the interest of Equity & equitable tolling is due, I was diligent. The D.A. was in the way and if stopped Gross injustice would result. The D.A. hid the facts in pages 1-28 herein from the Ct. since 2010!

Therefore, petitioner asks that the Court grant the following relief: "I want to be released from this imprisonment immediately."

Stop my Arrests under Affidavit less oathless affirmation less warrants & my imprisonment in OPS under such warrants by an injunction on Josh Stine, Cooper, I Shae, Garland & successors. And have Ala. Co. produce the "oath of affirmation" - And if they can't then hold them liable.

In my Up and coming \$1983 action - w/ no 1:22-cv-271, for at least half of Thoes damages for their part in the conspiracy, and No I am not saying I want any money less than \$1,000,000,000.00 (one billion) And for their part in the conspiracy paying half damages from their fund or reserves is good punishment. And I need a injunction for my safety Right Now, shown in my \$1983 statement.

I am the INJURED PARTY and witness to the crime AND I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that

this Petition for Writ of Habeas Corpus was placed in the prison mailing system on (10:00am) -

1-5-2023 (month, date, year), BY me the injured Party

I Affirm under the penalty of perjury under the laws of The United States of America All statements herein are True Whole and Correct, and Comes to the court BY Unanimous Vote and high Public Interest of The Moorish Nation/Citizens of The U.S.A.

(10:00am) - Executed (signed) on 1-5-2023 (date).

All Rights Reserved. I Affirm

Pursuant to 28 USC 1746(i) under the penalty of perjury and laws of The U.S.A. The \$2254 plea above is True, Whole, & Correct.

*Aliso Kabe Bey*

Signature of Petitioner - Principal  
BY Special Appearance, U.C.C. 1-308

Appendix Cover A

1 Contents:

• memo. of Law & Affidavit

• oaths of Office

Attachment: MOTION TO DISMISS Enc: \$5.00  
Admin. Remedy Steps 1-3, Certificate of Service • \$1983 claim

\* (...continued) • § 2401 (b) claim

- (A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;
  - (B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such state action;
  - (C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
  - (D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.
- (2) The time during which a properly filed application for State post conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

In The District Court of The United States  
 § 2254 Case No. \_\_\_\_\_  
 APPENDIX

- 
- Memo of Law; Affidavit - P-1-9 and P-1-10
  - Motion To Dismiss Filed In Alamance Co. - P-1-2 -  
True COPY
  - Admin. Remedy Steps Attempted - P-1-2 -  
True COPY
  - Law Enforcement Code of Ethics - P-1-01
  - § 1983 Claim - § 2401 Claim of Case  
 NO: 1:22-cv-271 / Not what ever case NO.  
 The clerk gives this § 2254 claim. - P-1-33



The District Court of The United States. Case no. \_\_\_\_\_  
Memorandum of Law ~ Per. 28 U.S.C. § 2254  
Also a Affidavit

U.S.A. Ex rel Alphonza L Thomas-III V. United States Agent Jennifer Walsh

The 4th amend. U.S. CONST. is effective on North Carolina via the 14th  
Am. U.S. Const., *Maple v Ohio*, 367 U.S. 643, 81 S.Ct. 1684, 6 L.Ed. 2d 1081 (1961)

"The requirement of Probable Cause has roots that are deep in our  
history." *Henry V. United States*, 361 U.S. 98, 100, 80 S.Ct. 168, 170, 4 L.Ed.  
2d 134 (1959). Walsh could have discovered "Negros, Blacks, Coloreds (N.B.C.) injuries.

Morris had to get rest on 2-2-2010 to get on the next case, he  
played the "often competitive enterprise of ferreting out crime."

*Johnson V. United States*, 333 U.S. 10, 14, 68 S.Ct. 367, 369, 92 L.Ed.  
436 (1948). Morris's Enterprise is grown on Negros, Blacks, Coloreds (N.B.C.) (S)

When at my mom's house whether or not it was technically  
characterized as an arrest it must be supported by Probable Cause.

*Davis V. Mississippi*, 394 U.S. 721, 89 S.Ct. 1394, 22 L.Ed. 2d 679 (1969)

When arrested 1st at my mom's house? 2nd in the cell my most  
Sacred right was violated. See *Union Pac. R. Co. V. Botsford*, 141

U.S. 250, 251, 11 S.Ct. 1001, 35 L.Ed. 734 (1891)

Courts that sit under the Constitution can not allow any violations  
against it, e.g. *Mis Browns Ct. System*, *The Federal Ct. System*, see

*Elkins V. United States*, 364 U.S. 206, 222, 80 S.Ct. 1437, 1447, 4 L.Ed. 2d  
1669 (1960) No state Gov. discrimination was unjustified w/ no rational basis:

The Sheriff that arrested me at mom's should have come with a  
warrant, and I called them to meet me, so there was no hot pursuit.

See *Chapman V. United States*, 365 U.S. 610, 81 S.Ct. 776, 5 L.Ed. 2d 828 (1961)

There was no reason to force me into the police car from my mom's house.

CF: *Carroll V. United States*, 267 U.S. 132, 45 S.Ct. 280, 69 L.Ed. 543 (1925)

Walsh could have discovered: No state Gov. Justification of No oath  
with all warrants for N.B.C. is our Race, color, Nat. origin; But she did not care. Also:



• That the CHALLENGE to my arrest DOES AFFECT THE VALIDITY OF MY CONVICTION. And my confrontation right to fight Carroll was TAKEN as soon as Sheriffs Refused to protect my mom - PPty. Taken.

I "was not at liberty to ignore the Police Presence and go about my business" at mom's house. See *Florida v. Bostick*, 501 U.S. 429, 437, 111 S.Ct. 2382, 115 L.Ed. 2d 389 (1991) - They had Guns - pointed Guns out - used a Sharp tone - were many - and touched me all over when going in my Pockets on 2-2-2010 AB.

• Sheriffs arrested me at mom's house and were "absent Probable cause or Judicial authorization." *Hales v. Florida*, 470 U.S. 811, 815, 105 S.Ct. Walsh could have discovered.

• "[The Police] may [not] seek to verify [mere] Suspensions by means that approach the conditions of arrest" *Florida v. Royer*, 460 U.S. 491, 499, 103 S.Ct. 1319, 75 L.Ed. 2d 229 (1983)

• An oral oath is taken to impress truth telling and Mis Brown could only find Probable Cause under oath or affirmation. See *Nathanson v. United States*, 290 U.S. 41 at 47, 54 S.Ct. 11, 13, 78 L.Ed. 159 (1933) Truth did not matter, they had to get to the next NBC FAST.

• When they showed me the gun I was in custody, if they had not done that I was going to leave them conduct my own investigation Present evidence to a magistrate Judge and demand Justice i.e. Protection of MY Mom and me and a Gun Roundup. Cf: *Stansbury v. California*, 511 U.S. 318, 322, 114 S.Ct. 1526, 128 L.Ed. 2d 293 (1994) - Yet I was arrested and never left custody to date, Sheriffs Refused To protect MY Mom.

• Mis. Brown accepted Unsworn Statements of No worth and Should not have. See *Lopez v. United States*, 370 F.2d 8 (5th Cir. 1966).

• Unlike, *Frazier v. Roberts*, 441 F.2d 1224, 1228 (8th Cir. 1971) Morris never took any oath after he gave oral info. because as soon as Morris and me left Mis Brown the SIGNED Warrant was



Brought Stright to me. For more information on the people misnomered negros/Blacks, Coloreds (N.B.C.) - Who are the Moorish Americans I refer to, See the Unmistakenly tied case with the No. 1:22 CV-271 at Our "Official Proclamation of Real Moorish American Nationlity." And Walsh could have discovered:

- Moriss never took any oath after he gave oral info. because as soon as Moriss and me left Mis Brown the SI 622B Warrant was brought Stright to me and Moriss said he never saw or spoke to mis Brown that day till we saw mis Brown together. So he did not Phone in the oath like United States V. Turner, 558 F.2d 461, 50 (2nd Cir. 1977),<sup>3</sup> he did so For Vengeance, hate.

- I affirm via this Great Writ such Constitutional deprivations have taken place and I would like the Courts inquiry. See Kennedy V. Commandant, U.S. Disciplinary Barracks, 10th Cir. 1967, 377 F.2d 339. The States do not treat N.B.C. equally to whites in arrests

- Any evidence presented to the Contrary of my claim is fabricated BY Mis Brown. ie.

- Moriss could not have supplemented any later or previously made Affidavits on 2-2-2010 with Unsworn statements because I am the witness to him never swearing. See Tabaskov. Burton, 472 F.2d 871, 874 (6th Cir. 1972); On Moriss's Part there was Nothing to Supplement with.

- Our recent 4th Am. cases teach that to establish Probable cause based on info. furnished by a 911 caller informant, Moriss must provide evidence of the informant's reliability. See e.g. United States V. Allen, 211 F.3d 970 6th Cir. - Moriss may have acted like he investigated HOWEVER he went off of and acted on the 911 Phantom caller info.

- My arrest warrant Violates the Standards established under Federal Law and local and State Standards Should not apply of: United States V. Wright, 16 F.3d, 1429, 1437 (6th Cir.)<sup>3</sup> Broken State Law is Fed. Law Also.

- Jennifer Walsh could have discovered: On 2-2-2010 I walk in Mis Brown's office 9:20 am - 9:23 she Prints Warrant - 9:25 I am Served<sup>3</sup> No oath,



where mis Brown had all documents ready just to put words in Morris's mouth that he had no evidence to come up with. A trick to convict an innocent man w/ facts of innocence present. Then? At trial

You know it was mis Brown who had my warrant ready when we walked in. She filled in my name and address - printed - and I was served. Mis Brown was not NEUTRAL and DETACHED because she obviously had done all the investigation before Morris and me arrived. I am telling you she streamlined it and none of her info. came from Morris, it was an impossibility. See condemnation in *Lo-Ji Sales Inc. v. New York*, 442 U.S. 319 (1979) - You see how quick from the time we walked in to when I was served?

No one tried to get a probable cause determination by fax, phone, e-mail, etc. - by a judicial officer after I was arrested at my mom's house, my first and only warrant came from mis. Brown. Cf: *County of Riverside v. McLaughlin*, 500 U.S. 44, 56, 111 S.Ct. 1661, 114 L.Ed.2d 49 (1991), Justice was denied to me!

Nothing Morris said was remotely in the way of a oath or even a penalty of perjury statement, it just was not, not before my warrant was issued or after I received it. Nothing like the 2<sup>nd</sup> cir. said in *State v. Tye*, 248 Wis. 2d 530, 636 N.W.2d 473, 478 (2001). Where was my "Equal protection of the law"?

Morris did not even intend to be, or manifest intentions to be under oath, why? Because he? others think NBC are different from whites.

Morris thought he had a eye witness, but he did not? he established no sufficiently reliable info. from his bogus witness. So he did not do anything that the officers did in *People v. Hayes*, 191 AD.2d 644, 595 N.Y.S.2d 239, 240 (2000) (1993) - Morris possessed no probable cause, the 4<sup>th</sup> Am. is no shield against arbitrary classifications by NC State Gov. i.e.:

Morris closed his eyes to other avenues of investigation. See *Bevier v. Hucal*, 806 F.2d 123, 128 (7th Cir. 1986). So Restore The "Shield".



- Morris's eyes were also closed because he knew his Brown was going to do all investigating - informing - Planting of Evidence by writing all Morris's statements. So he would not need his Senses or need to think; only Present me; endorse Miss Brown.
- I did not feel as if I could Say No to my Pocket search, Sheriff's had already Pointed the Gun out. *Schneckloth v. Bustamonte*, 412 U.S. 218, 226-27, 93 S.Ct. 2041, 36 L.Ed. 2d 854 (1973)
- Unlike *Simons v. Montgomery County Police officers*, 762 F.2d 30133 (4th cir. 1985) my arrest and my arrest, both of them were without Probable Cause So each invasion of Privacy exists.
- Morris can not remedy his lack of Probable Cause by what was found after my arrest, and after my Warrant. Without Probable Cause in this case is like no Warrant at all. See *United States v. Griffin*, 502 F.2d 959 (6th cir. 1974) - That's a Nation Wide NBC treatment.
- Morris was OK rushing into the arrest because he was helping the officers who arrested me at my mom's house Retaliate against my whole family for 1. No Family member could recall any trouble fights etc. between me and my wife and 2. I told them I did not trust them to Protect my Mom; That Retaliation Spawned the intentional infliction of emotional distress on me, What they said about not Protecting my mom was outrageous, so it caused me to have to help her. Cf: *Buckley v. Trenton Savings Fund Soc'y*, 544 A.2d 857, 863 (N.J. 1988) - They were not bringing me to Justice they were Getting Back at me and my Family, my Nation, my Group Misnamed NBC.
- I gave the State a Fair Chance to hear all this but I was not given a fair Chance to be heard. The State does not Care about my Group i.e. Moorish Americans - my wife - my family - me - all the people they label Negro, Black, Colored. So the State was never going to help me, and Let me establish that I bought Holiday Gift Phones For Carroll's wife; His Gang had the Phones 2-201-417,



One of my Cars window was Busted in Snowy weather; So I bought a Tarp for it, I Keep a Gas Jug in my Garage like most home owners; All Presented as Premeditated Murder Plans at my trial via Carroll. Morris knew not these irrelevant Facts 2-2-2010, if Morris would have told Miss Brown all he knew and Miss Brown had not done her own investigation then No Probable Cause would have been found, No Jury would have convicted me because, I would have conducted my own investigation and directed officials to the criminals so fast they would not have had time to hurt anyone else and they would have been on trial, Not me. Jennifer Welsh could have discovered:

- No Post Warrant declarations can be used to make Probable Cause or a valid Warrant and Morris Used Not one bit of any oral testimony on 2-2-2010 and the Supreme Court made it clear that Police Cannot intentionally lie in warrant Affidavits, nor can they recklessly exclude material info. *United States v. Leon*, 468 U.S. 897, 922-23 (1984) But Morris Presented nothing and hid everything and all written data of any crime was authored by Miss Brown who Prepared everything, so he - Morris could rubber stamp her work - investigation and she could rubber stamp his, and both knew it was a Const. Wrong. See *Anderson v. Creighton*, 483 U.S. 635, 640 (1987), Miss Brown Prepared everything for Morris But Morris is not absolved because Miss. Brown found Probable Cause, see *Manuel v. City of Joliet*, 580 U.S. 357, 137, S.Ct. 911, 918 (2012). My Const. right is to a Warrant based on Probable Cause, not one based on recklessly hidden significant material facts. And no defendant is entitled to Summary Judgement on my Seizure Claim. As previously discussed a reasonable jury could find my arrest Warrant was not supported by Probable Cause and the Alamance County Court and Inmate Grievance Resolution



has not disputed that the criminal Proceedings terminated in my favor on my motion to Dismiss. *Hupp v. Cook*, 931 F.3d 307, 324 (4th Cir. 2017). Congress via the last clause of the 14<sup>th</sup> Am will not Restore the Shield.

- I can only be Seized on Probable Cause - none was Given. *Humbert v. Mayor & City Council of Balt. City*, 866 F.3d 546, 561, (4th Cir. 2017). Arrested NBC are All doing something like this.

- Now because my charges were dismissed and my loss of liberty was Pre and Post trial Unlike *Albright v. Oliver*, 510 U.S. 266, 273-74 (1994) I can Succeed on my due Process Claim, Also *Manuel v. City of Joliet*, 580 U.S. 352, 137 S. Ct. 911, 919 (2017)

- And everything Miss Brown fabricated as if she were Morris to Support my arrest Warrant Caused my conviction & incarceration. *Masse v. Ojanitt*, 759 F.3d 343, 354 (4th Cir. 2014)

- Miss Brown had to fabricate things that way because Terry Johnson, rather than training Morris to do things himself like find Probable Cause had to rely on Miss Brown to find such in the first instance on her own, So Morris would not have to reason at all and hurry along to the next case, and that Failure to train amounts to deliberate indifference to me due to contact I had with Morris. cf: *City of Canton v. Harris*, 499 U.S. 378, 388 (1989) and it was not just the lack of training, that caused my arrest, it was my Race, Color, an National Origin, and the need for Morris to retaliate against me - my mom - my Family - my Group. I am not saying Morris had no training from Johnson. I am saying Johnson trained Morris and Miss Brown to do what they did to me in order to Violate the 4<sup>th</sup> Am of the U.S. Const.; Thus



By unanimous vote and high Public Interest The M.S.T.o.F.A and Moorish Nation  
Hereby Establish Newlaw: ie The Constitutional violations expressed herein  
must be Remedied by Granting the Relief of The §2254 Petitioner Abdikeba Bey,  
And so these acts of Training-Custom/official Policy are teachings  
of Malice of Johnson that resulted in malice upon me-  
my mom- my Family- my Group from Mis Brown and Morris.  
cf: Bartlett v City of High Point 381 U.C. 287, 294, 873 S.E.  
2d at 536-37; On Existing law this non frivolous argument, extended law,  
Jennifer Walsh could have discovered: NBC Cant Enjoy laws like Whites.  
That looking at the total picture my warrant for arrest was  
issued to retaliate, and because of my skin color, and to steal  
money from me; Mis Brown did the investigation from the  
Public Sources-Radio-TV- her cell phone- and the Rumors  
in the Street, Morris offered no information, so it was  
all abuse of Process. See Pinewood Homes, Inc v Harris 144  
U.C. App. 597, 602, 646 S.E. 2d 826, 831 (2007) These reasons  
are not reasons to issue a warrant, and Walsh could have  
known. As a civilized people the M.S.T.o.F.A and Moorish  
Nation think it atrocious and we will not stand for violations  
against the ELS and BEYS of Our Empire. see Russ v Causey, 732  
F. Supp 2d 589, 607 (E.D.N.C 2010) Now in my case Terry  
Johnson was right in the mix, he met me at Graham Station,  
and told me he sent the Sheriffs to "pick me up", the officers  
told him what I told them on the ride to Gram Station,  
Terry agreed that they would not be doing any protecting of  
anyone in Durham / my mom or as Terry said "any other  
niggers", So Johnson intentionally engaged in misconduct  
and misbehavior and was negligent because he had a duty  
to protect me and my mom. Arrested Moorish Americans misnomered NBC  
did not get their 14<sup>th</sup>. Entitlements at Arrest in Each State of the Union; Now



those arrests are ppty. taken wrongfully without compensation where a  
Reparations to The Moorish American's Nation is due with these war time  
violations in the form of our requested relief in sec. VII of the  
related 42 USC § 1983 and 28 U.S.C. § 2401(b) claims. Claimed Against Whoever  
engaged in misconduct misbehavior or and negligence,  
who has a bond applied for a bond and waives immunity  
from fidelity etc bond possession. See Sellers v. Rodriguez,  
149 N.C. App. 619, 624, 561 S.E. 2d 336, 339 (2002), N.C.  
Gen Stat § 58-76-5, and Stafford v. Barker, 129 N.C. App 576,  
585, 502 S.E. 2d 1, 6 (1998) and the Bonds exist.

And That's exactly the kind of stuff me, mis Walsh, and  
the Grievance Resolution Board could have figured out.

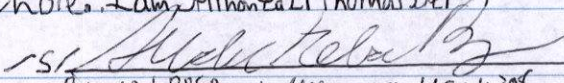
This memo should be considered in conjunction with my  
memo in case with the no. 1:22cv-27 D. Grant Relief-Restore my Shield.  
Public information sources show that setting up systems in order to  
commit race "discriminatory" crimes is a regular act of the Alamance  
County Sheriff's Dept. and Terry Johnson. Even the U.S.A in her sovereign  
capacity says Ala. Co. & Terry Johnson are "discriminatory" see U.S.A. v Johnson  
USDC. M.D. 9-7-2015. And the people of the U.S.A in public record have  
known the Alamance officers of the law of Graham Station as "Ku Klux Act"  
violators. See Allen v. City of Graham USDC. M.D. N.C. 6-2-2021, 5-21-2021;  
NAAEP. Ala. Co. Branch v. Peterman USDC M.D. N.C. 8-14-2020, 8-7-2020.

So it should come as no surprise that my race, color, and national  
origin were part of the motive for the crimes Jennifer Walsh could  
have discovered. Lastly when Johnson said "and other niggers", he  
introduced under a misnomer 60 million Moorish Americans  
to this action, and 2 my up and coming § 1983-§ 2401(b) suit.

Pursuant to 28 USC 1746(b) under the penalty of perjury and the laws of the U.S.A.

I affirm the above true, correct, whole. I am, M. Thomas Del:

Date d. 1-5-2023 ap

rs.   
Principal BBS Special Appearance UCC1-306

Restore The Shield - Restore Justice



Affidavit In The Nature of Truth  
Pursuant to §2254, §1983, and §240(c)

Averment of Jurisdiction

citing: Marion Lamont Sherrod Jr. agent for Marion  
Lamont Sherrod V. North Carolina Department of Adult  
Corrections / Public Safety, N.C. O. A. H. June 9, 2021  
Docket # 21 CPS 01871:

"CONCLUSIONS OF LAW" ...

...

8. Despite Petitioner's averments to the contrary, OAH does not have Subject matter jurisdiction over claims that either DPS or the Rockingham County Superior Court Violated his Constitutional rights. Such claims must be brought in the State or Federal Courts...
9. Likewise, the Tribunal disagrees with Petitioner's contention that OAH has jurisdiction Via... Article III of the Constitution of the United States [of America] ...
10. admiralty and maritime... are within the jurisdiction of the Federal Courts...

OAH lacks Subject matter jurisdiction over these complaints, which are properly directed to the State [and/or] ... Federal Courts.

...

Michael C. Byrne

Administrative Law Judge "

Given the class and issues of my claim it is "within the jurisdiction of the Federal Courts" supra at citation Pt. 10. There is no Federal court better to handle my claim than the M.D. Fed. Ct. 4th Cir. (of Negroes Blacks Coloreds CUB): See Appendix A of case vol. 22 cv-271 in it contains Proof of Race Based Animus in This Civil Conspiracy Claim, 42 USC §1985.



Also see the Affidavit Filed in that case 1-4-2022, it contains Pro Fa F lace Based Animus in said claim it is titled "AVERMENT OF JURISDICTION..."] , Also For example in case 1:22 cv-271 see "Official Proclamation..." at Section "Real Proclamation of Status" where in Part it says, "The Administrative United States Cannot muster a dijudication to the above previously Submitted National Averment of Jurisdiction."

This Fact encompasses U.C. OAH as well;  
Also an appeal From the OAH to a County Superior Court. A. Poor Administration:

Our Claim Deals With A (Snow Ball) affect;  
it started long ago on a Ship Called "JESUS" Also

- Treaty of Peace of 1786
- Louisiana Purchase Treaty - 1805
- Presidential Pardon of Abdul Rahman Ibrahim 1898
- Amistad Mutiny of 1841
- Treaty of Guadalupe Hidalgo 1848
- Dred Scott Decision of 1856
- Expatriation Act of 1868

As shown historically we have been subjected to invidious discrimination, the defendants were aware of the impact of their discriminatory effects on us, these effects come thru official policy of the defendants that seems to only disfavor the misnamed U.B.C, the official policy comes thru the unusual process as shown thru our §1983, §2254 and §2401(b) Claims. No One in our class benefits from these policies!  
~~We are Denationalized~~, Called Bad Names, ? Arrested without cause, for slavery.



And For example all of These Officials were  
Aware of Said "Impact" From Top Down and

This awareness Pointed to in Pt. B, below Shows Proof  
of Race Based Animus in This Civil Conspiracy Claim §1985

Top - B. Poor Administration:

- Joseph R. Biden Jr.'s inaction to Notice - (A Snow Ball)

- All Persons who recieved the The "Motion to  
Dismiss" their inaction to notice - (A Bigger Snow Ball)

Down - All Persons who decided on the Grievance Filed  
about my Fake imprisonment ie the whole D.P.S. who  
Claimed No "Control" over my issue - (Even Bigger Snow Ball)

These actions are because of MY our NBC Status,  
and the Jurisdiction NBC are held in, ie United States?  
For MY Residency The State of North Carolina holds us.

On Down - C. The Poor Administration is reflective of all  
the cases law cited on the 50 States with No Probabal  
Cause and the KKK Act violators, of Alamance Co.<sup>3</sup>  
Then Bam A Gargantuan Animus Snow Ball, Co. Level Hits US Daily!

And So I bring these claims to the  
Federal Courts needing Article III  
U.S. Courts Equity our claim does  
make Maritime Claims and are Properly  
Directed, with this Poor Administration. Cited  
Poor Administration as outlined herein In A., B., C. above,

### ILLUSTRATION:

See Stats, Laws, and Treatment of NBC by the U.S. & Several  
States thereof in the Book Pages 1 thru 668, titled:  
"Noble Drew Ali The Exhuming of a Nation, Thru,



## OF The Outcome Test

Having Challenged the UnConstitutionality  
of U.C.G.S. §15A-304(d) against U.S.  
Const. Amend. VI and Standing on  
my civic duty as a Moorish American  
National Citizen of The U.S.A. The  
result in The State of North Carolina  
on the Fact of No oath Given to  
reach Probable Cause Should be the  
Same as the result in the United States  
Federal Courts, and Could have been  
if defendant et al would have taken  
action. Yet Poor Administration's discrimination does not allow.

And so any result would be based on  
and Should be based on the Following  
Eight Elements - 8 - As Above So is  
Below - 8 :  $\frac{\text{Fed.}}{\text{St.}}$  :  $\left( \frac{\text{F.}}{\text{St.}} \right)$  :

# 1. Oath or affirmation, also known as Affidavit,  
must be signed by the victim, or someone on the  
victim's behalf. The victim is the party who was  
hurt when the crime was committed. If there  
is no Affidavit, there is nothing to support Probable  
Cause and there is no crime. Further, the court



lacks jurisdiction over the Person which in this Case is me - W/10CAS050735; the Ala. Co. General Ct., and loses Subject matter jurisdiction. Without Subject matter jurisdiction, the Court Cannot Proceed and must dismiss the Case.

- # 2. Only upon Probable Cause Supported by oath or affirmation Can a Proper Warrant issue, and with no Support of Probable Cause the Warrant and Bill of Indictment are defective.
  - # 3. Once a Warrant is issued, the next Step is to be informed of the nature and Cause of the accusation;
  - # 4. To be Confronted with the witnesses against me;
  - # 5. To have compulsory Process for obtaining witnesses in my favor;
  - # 6. To have the Assistance of Counsel for my defence;
- In my Case the nature and cause of the accusation against me - which was not Known at my time of arrest - was later in trial the result of a conspiracy to restrict my liberty where I could not face the most important witness against me - who was Ronald Carroll that claimed to not be a witness at all. The "artificial Person" Known as the STATE OF NORTH CAROLINA Cannot be the Victim.



#7. Nor Shall I be Compelled in any Criminal Case to be a witness against myself, nor be deprived of life liberty, or Property, without due Process of law;

#8. Nor Shall I be Subject for the Same offence to be twice put in jeopardy of life or limb.

When I was Compelled by the Sheriffs at my moms house, when I was Compelled by Carroll and his Gang from arrest and Past Trial up to recent all Proceedings against me by Sherriffs or the Courts are defective because I was falsely arrested, Wrongfully imprisoned and placed under threat, duress and Coercion which Compelled my Silence and Promoted false testimony at my trial and the restriction to my liberty at trial.

And So within the denial of Rights outlined You will need a full understanding of MY §2254 Application to See that I with Said Snow Ball was Denied due Process of law and Equal Protection of the laws, and so is my Entire Group of Moorish Americans Misnamed N.B.C More Pointed to my Eugene V. North Carolina State Republic Towit:



## OF MY GROUPS Injury

The Eight elements outlined above are not well within any criminal case of MY group. This Practice affects us<sup>3</sup>, disrupts fair and equal Protections. Just look at any of the Several States Practice with the Magistrate Judges Statutory Procedure to make a Probable Cause determination and you will see as you see with me that:

There is no Oath or affirmation signed by or on behalf of the victim to support Probable Cause for the Warrant to issue. Without the Oath, I am denied due Process of law and equal Protection of the laws. Without the Oath, I have no way of knowing the nature and Cause of the accusation and I cannot Confront the witness against me. Without said Oath, the Prosecutor has failed to Prove Jurisdiction over the Person and has caused the Court to lose Subject-matter jurisdiction. Without Subject matter Jurisdiction all orders of the Court are Void. I move this Court to cause MY Stated Relief, For MY Group.

Because in MY Case No oaths of affirmations Count against me and never under the Support of Threat, duress and Coercion from Carroll, of Morris, Sheriffs etc... Thus there is No victim, No crime - No contract, no claim For me, or on me.



And Something to that effect happens to All Negro Blacks and Coloreds (NBC) Nation Wide with Arrests, Convictions etc. I have traveled in D.P.S., M.C. State Wide? Seen it First Hand in my Penitentiary.

These NBC labels are misnomers by the Several States and they the misnomered are the Moorish Americans spoken of in that above Cite 1 "Official Proclamation..." Where The 14th Am. applies negatively to that Class of People and

Where The 14th Am Contradicts the United States Republic Constitution and

Where that Constitution was written for Everyone and

Where the Statutes of the Several States are Established Under the 14th Am and

Where those Statutes disproportionately affect MY **People** misnomered NBC with arrests and Convictions that are False and Wrongfull and Unconstitutional and

Where there is a class of Persons to whom Statutes apply without reservation called Corporations and Those who do Corporate business and

Where We the Moorish Americans are not Corporations and are not doing Corporate business and



Where Corporations are Creations of the Several States and are not human beings and  
Where we are Moorish Americans who are human beings and not corporations; God Made US.  
Therefore All Unconstitutional Statutes of the Several States under the defines of "Due Process of Law" that abridge or impair our Privileges and immunities and not protect them, are null and void and do not apply to MY People the Moorish Americans or me, and all these arrests upon US are False arrests under the Fourth Amendment because as shown these people misnomered NBC that met the U. S. Dept of Justice 2020 AD Prediction of 63% of all NBC men under some form of incarceration were in LARGE  
(1) Arrested in order to met that Prediction, Now True?  
(2) Their MY arrest was made without Probable Cause supported ~~with~~ Affidavits ~ More Pointed To My Regency:  
All officials noticed had ample time to fix my and our violations and were addressed in their Official capacity within the scope of their employment, State, local, & Federal Notices.  
There was no validity to MY or our arrests and all those arrests were procured by fraud. and any Guilty Plea from them is void. This abnormal style of law on US is a Bigness & Now I must do these Actions to help fix MY Nation.



And so we are a Pure and Clean  
Nation of People and have harmed No one,  
No other Nation, No one. An Remain SnowBalled.

As Regent For The Regency of  
North Carolina Territory I Speak With  
First hand Knowledge of the False Arrests of  
MY Moorish American Nation of People  
who depended on the 14th Am Shield From abuse  
and were not Shielded and Hit by the leaders of  
The State of North Carolina Under N.C. 65-8  
15A 304(c). Repair is due; cause shown. The 14<sup>th</sup>, 15<sup>th</sup>  
313<sup>th</sup> U.S. Const Am. AFFECT US in these above Strange Ways!

I am Alphonza L P Thomas Bey in Propria  
Persona Sui Juris With Constitution De Sive,  
A Confirmed Temple Head Seated in the  
affairs of Nations, North Carolina State  
Republic. ~~WE~~-I urge You to Please See  
the Book "Noble Drew Ali..." cited herein  
it Contains more Proof of Race Based  
Animus in This Civil Conspiracy Chim MY  
Group Make S.B.K. In that "Seven Seals Publications". PH: 434-676-1555.

I-We affirm the above as True, correct, and  
Whole Pursuant to 28 USC 1746(c)(2)-sec; and  
Under laws of the USA and Penalty of Perjury.

Dated 1-5-2023

151 Alphonza L P Thomas Bey  
Principal by Special Appearance UCC 1-308



STATE OF NORTH CAROLINA  
Alamance County

STATE OF NORTH CAROLINA, Plaintiff,  
Vs.  
Alphonza Leonard Phillip Thomas-Bey,  
Defendant

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

CASE# 10CRS050755

**MOTION TO DISMISS**  
- For want of 4th, 5th, 6th, 8th, 9th, 13th, 14th, 15th, U.S. Const. Art. III, § 2, U.S.C. §§ 1251, 1343 (2), 18 U.S.C. § 241-2, 1203

## JURISDICTION CHALLENGE

The North Carolina State Prosecutor has failed or refused to prove jurisdiction over the person on and for the record, being an oath or affirmation signed by or on behalf of the victim to support probable cause for a warrant to issue. No one has sworn that a crime has been committed and that I, Alphonza Leonard Phillip Thomas-Bey, am the one who committed the crime. Therefore the State Prosecutor has failed to prove that the Court has jurisdiction over the person and has caused the loss of subject-matter jurisdiction rendering all judgments void. Without an oath or affirmation:  
a. The warrant is void. b. The Bill of Indictment is void. c. Any sentence is void. d. I have been denied due process of law. e. I have been denied equal protection of the law. f. I have no way to know the nature and cause of the accusation. g. I have been denied the right to be confronted with the witness against me. These points a-g are the only cognizable claims I raise.

Where there is no jurisdiction over the subject matter, there is, as well, no discretion to ignore that lack of jurisdiction. [John J. Joyce v. United States of America, 474 F.2d 215, 219] (C.A.3 (Pa.), 1973)

When it clearly appears that the court lacks jurisdiction, the court has no authority to reach the merits. In such a situation the action should be dismissed for want of jurisdiction. [Melo v. U.S., 505 F.2d 1026, 1030]

"However late this objection has been made in any cause, in an inferior or appellate court of the United States, it must be considered and decided, before any court can move one further step in the cause; as any movement is necessarily the exercise of jurisdiction." Rhode Island v. Massachusetts, 37 U.S. 657, 718, 9 L. Ed. 1233 (1838)

"Every citizen of this State owes paramount allegiance to the Constitution and Government of the United States, ...". N.C. Const. Sec. 5:  
However I am not a U.S. or N.C. corporator or under the Instrumentality rule like, N.C., U.S., Ala., Co. Because of my status and jurisdiction as a Moorish American National Citizen, natural person I hereby remove this action to the Federal Court System to: Case No. 1:22-cv-271 via this writ. Even so it is still your duty as a citizen of this State to grant me the following relief:

I have been falsely arrested and wrongfully imprisoned in violation of the protections of the Constitution of the United States. This arrest is unconstitutional and I want to be released from this imprisonment immediately. I move the court to dismiss this case - No. 10CRS050755 for lack of subject-matter jurisdiction.

I am NOT BLACK etc... Here it must be remembered only the "Proper Status" can be heard in the "Proper Jurisdiction". Being "Black" is not a District or Superior Court issue and that issue leaves all N.C. and U.S. courts in want of jurisdiction except the U.S. Supreme Court. Ergo only consider issues a-g above: Not Status, Jurisdiction? Federal Offense.

Being certified as Black by the U.S. and N.C. must be corrected like my arrest.  
**ACT IMMEDIATELY TO GRANT THE REQUESTED RELIEF;**

In doing so consider issues a-g in this removed action.

Within the four corners of this motion I certify that in the interest of justice, this motion has been served via U.S. first class mail as follows:

1. Office of Governor Roy Cooper, Governor 20301 Mail Service Center Raleigh, NC 27699-0301
2. U.S. Department of Justice Civil Rights Division Special Litigation Section 950 Pennsylvania Ave NW Washington DC 20530
3. American Civil Liberties Union of NC PO Box 28004 Raleigh NC 27611
4. Gregory Williams Prison Justice Activist 1625 S. Alston Ave. Durham NC 27707
5. Director of Prisons 831 West Morgan St. Raleigh NC 27699
6. Jennifer Walsh, Warden of Custody Columbus Correctional, 1255 Prison Camp Road Whiteville, NC 28472
7. . . .

TRUE COPY OF THE ORIGINAL  
11-01-22  
Eben Mills



- 7. Office of Attorney General Josh Stein / Atty General 9001 mail Service Center Raleigh, NC 27699-9001
- 8. Commissioner division of Adult Corrections 4206 MSC Raleigh NC 27699
- 9. Inmate Grievance Resolution Board 4207 MSC Raleigh NC 27699-4207
- 10. Brad Deen NC Department of Public Safety mail Service Center Raleigh, NC 27699-4201
- 11. Mike Stolt Investigative Producer Cox media Group 235 W 23rd St. Charlotte NC 28206

Also See my 2022nd Proclamation in Durham County Public Record Titled:  
OFFICIAL PROCLAMATION OF REAL MOORISH AMERICAN  
NATIONALITY OUR STATUS AND JURISDICTION AS  
Citizens of the U.S.A.

ACT IMMEDIATELY TO GRANT THE REQUESTED RELEASE  
In This - a - All rights Reserved, Civilization. BL 5<sup>th</sup> Ed.  
I Do Not Rescind ANY Claims to Relief in Civil Case with No: 22-cv-271

End of civilization Statement

Dated 10-10-2022

I am: (S)

*Alphonza Leonard Phillip Thomas-Bey*

Alphonza Leonard Phillip Thomas-Bey #287495 Seal of the Moorish  
Columbus Correctional 1255 Prison Camp Road Divine National  
Whiteville NC 28472 Movement



JURAT

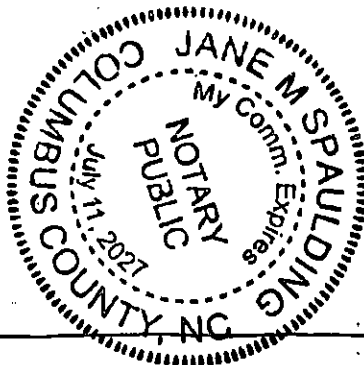
Having personally appeared before me under penalty of perjury, this  
10 day of October 2022.

Notary Public Name: *Jane M Spaulding*

Notary Public Signature: *Jane M Spaulding*

State of North Carolina, County of Columbus

My commission Expires: *July 11 2027*



Certified mail Return Receipt No. used to mail Alamance County Clerk  
Superior Court Division:

*7030-2450-0000-7355-1805*

Page 2 of 2

We are for Love, Truth, Peace, Freedom and when these Principles are violated Justice must then take its course





# North Carolina Department of Public Safety

## Prisons

Roy Cooper, Governor  
Eddie M. Buffaloe, Jr., Secretary

Timothy D. Moose, Chief Deputy Secretary  
Todd E. Ishee, Director

### DC-410 Screening Response

**Regarding Grievance No.: 4355-2022-MCDM--19655**  
**Received: 11/23/2022**

**Inmate: THOMAS, ALPHONZA L - 1287495**  
**Location: 4355-COLUMBUS CI - MCDM-002**

The grievance you have submitted is being rejected for the following reason:

- Beyond control of DPS

#### Rejection Justification:

The Administrative Remedy Procedure, Section .0300 of the North Carolina Department of Public Safety Prisons Policy and Procedures, provides:

.0306 Rejection of Grievances

- (b) . . . any grievance submitted shall be rejected at any level if it:  
(4) Challenges matters beyond the control of the Department.

11/28/2022  
Date

BOWEN JR, JAMES D.  
Staff Electronic Signature

cc: CTS

**MAILING ADDRESS:**  
1255 PRISON CAMP ROAD  
WHITEVILLE, NC 28472



WWW.NCDPS.GOV  
An Equal Opportunity Employer/Affirmative Action Employer

**OFFICE LOCATION:**  
1255 PRISON CAMP ROAD  
WHITEVILLE, NC 28472  
Telephone: (910)642-3285  
Fax: (910)642-8456

P1052



DGcal  
Now - Emergency

NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY  
PRISONS  
ADMINISTRATIVE REMEDY PROCEDURE

Offender Name: Alphonza L Thomas Bey Offender #: 1287495

Location: Columbus Correctional Date: 11-10-2022 AD

Grievance Statement: The North Carolina Prosecutor has failed or refused to Prove Jurisdiction over the person on and for the record being on oath or affirmation signed by or on behalf of the victim to support Probable Cause for a warrant to issue. No one has sworn that a crime has been committed and that I Alphonza L Thomas Bey am the one who committed the crime.

I have been falsely arrested and wrongfully imprisoned in violation of the protections of the Const. of the U. S.

This arrest is unconstitutional. And all of that was done to me because of the official policy and official custom of Durham County, Alamance County, Columbus County, The State of N.C. and the United States, of Denationalization and mistreating me due to my color, race and national origin.

What remedy would resolve your grievance?: I want to be released from this imprisonment immediately. I want an injunction from any arrest in this state that is without the required oath or affirmation for a warrant to issue. I want an Erasure of my Criminal Record i.e. destroyed Record for Case No. 10CR 5050755, and I want \$1,000,000,000.00

(One Billion dollars).

Offender Signature: Alphonza L Thomas Bey

OFFICIAL USE

Date received: 11/10/22 Receiving Officer Signature: 571.2xnd Staff ID: 101703

Facility #: 4355 Year: 2022 Housing #: MCDM Sequence #: 19655



## Law Enforcement Code of Ethics

**As a Law Enforcement Officer**, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

**I will** keep my private life unsullied as an example to all, maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature, or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

**I will** never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

**I recognize** the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God, to my chosen profession . . . law enforcement.

Sworn or Affirmed, this day 15-2-23 <sup>AD</sup> Signed: Alphonza L P Thomas Bey  
Abdilela - Bey

Principle BY Special Appearance UCC1-308



No Community of Natural People can ever be stable, free, or secure, if their Inalienable Rights and Immunities, which are secured by the Constitution, are allowed to be abridged or ignored! Where there is no Constitution - Enforcement, expect there to be political abuses of Authority; a 'Color-of-Law' and foul disorder breeding among the Natural People!

There is no doubt that a major feature marking the social culture of North American political affairs, is that of the heavily entrenched practices of human rights violations. Many of these common violations have been loosely categorized as 'Racism', biases, etc. However, all Citizens of this free National Government of The United States of America, should be aware of the 'International Laws', which have been instituted to address these matters. The United States of America is an obligated Party to those Human Rights Agreements. The question before us all is, "Who is who? And where do we, the Natural People, stand on these matters? Are we fulfilling our responsibility to enforce the Supreme Law for the protections of the Substantive Rights of all the natural people, etc."



## Oath of Office:

*All politicians and Officers of the Courts of The Republic United States of America, and all Federal and Military Officers, and all State and Municipal Officers, Sheriffs, Mayors, Councilmen, Freeholders and Policeman, etc., are bound by Law to support and defend the Constitution. The following is an example of the standard Oath which all the above, etc., must take for the public record.*

*"I, \_\_\_\_\_ do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."*

Each Justice, Judge and Justice of the Peace shall, before entering upon the duties of his office, take and subscribe an Oath that he will support the Constitution of the United States and the Constitution of the State Republic to which he or she is a citizen / member; and that he or she will faithfully and impartially discharge his or her office to the best of his or her ability.

The Oaths of all Judges of the courts, inferior to the superior court, and the Oaths of Justices of the Peace shall be filed in the Office of the County Recorder; and the Oaths of all other Justices and Judges shall be filed in the Office of the Secretary of State.

**"Declaration On The Rights Of Indigenous Peoples". E/Cn. 4/ Sub.2/1994/2/ Add. 1 (1994).** The following are six (6) Articles of Part 1:

**Affirming** That Indigenous Peoples Are Equal In Dignity And Rights To All Other People. While Recognizing The Rights Of Indigenous Peoples To Be Different, To Consider Themselves Different, And To Be Respected As Such.

### Part I, Article 1:

Indigenous People Have The Right To The Full And Effective Enjoyment Of All Human Rights And Fundamental Freedoms Recognized In The Charter Of The United Nations, The Universal Declaration Of Human Rights And International Human Rights Law.

### Part I, Article 2:

Indigenous Individuals And Peoples Are Free And Equal To All Other Individuals And Peoples In Dignity And Rights, And Have The Right To Be Free From Any Kind Of Adverse Discrimination; In Particular That Based On Their Indigenous Origin And Identity.

### Part I, Article 3:

Indigenous People Have The Right Of Self-Determination, By Virtues Of That Right, They Freely Determine Their Political Status And Freely Pursue Their Economic, Social And Cultural Development.

### Part I, Article 4:

Indigenous Peoples Have The Right To Maintain And Strengthen Their Distinct Political, Economic, Social And Cultural Life Of The State.

### Part I, Article 5:

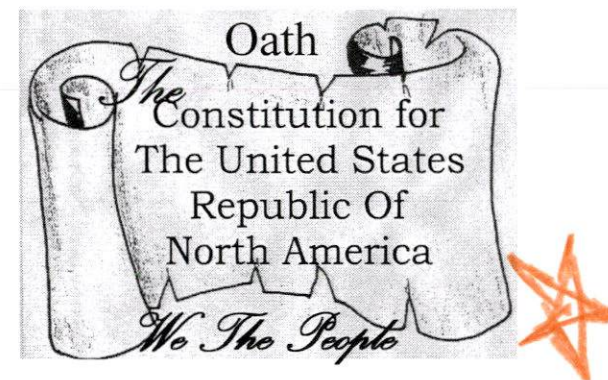
Every Indigenous Individual Has The Right To A Nationality.

### Part I, Article 6:

Indigenous People Have The Collective Right To Live In Freedom, Peace And Security As Distinct People And To Full Guarantees Against Genocide Or Any Other Acts Of Violence, Including The Removal Of Indigenous Children From Their Families And Communities Under Any Pretext.

## Peace on Earth and Good Will To All Men!

Freedom Is Everybody's Job!



**Civics:** that Department of Political Science Which Treats of Citizens, Citizenship, and the Rights of Citizenship; the duties of Citizens; and relating to Citizens, Cities, and to Civil Affairs. It is the Duty of all True American Citizens to take their places in the affairs of their Cities and their Communities! Responsibility to Self is also Expressed through One's Responsibility to One's Community!

We Are Teaching Those Things Necessary To Help Make Our People Better Citizens. The Constitution is the Foundation of 'De jure' Law in all Civilized Governments. The Constitution of The United States Republic of North America, is of Ancient Origin, and is The "Supreme Law of the Land". The Laws of any State, to the Contrary, notwithstanding!

The Civic Duty of all Who Are 'Part and Parcel' of This said Government, have the outstanding Duty and Responsibility to Command the Enforcement of Our National Constitution by Name and by Principle. It is in place to secure the Substantive Rights of all free National Beings. The Peace, Prosperity and Tranquility of Society Depends Upon the Enforcement of Those Ancient Governmental and Constitution Principles.

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